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HISTORY

OF

NEW ENGLAND

DURING THE STUART DYNASTY.

BY

JOHN GORHAM PALFREY.

IN THREE VOLUMES.

VOL. III.

BOSTON:
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PREFACE

TO THE THIRD VOLUME.

THIS portion of my History has been composed in circumstances less favorable than attended the preceding volumes. While it has been on my hands, most of my time has been due to occupations of a quite different nature; the state of my country has been such as to engage the thoughts of every patriotic citizen, to the disturbance of calmer meditations; and I have not been without a full share in the domestic and personal anxieties of these afflicted years. I have done the best that I could under the conditions of the case. While my advancing life forbade me to delay anything that I proposed to do, I have felt the obligation of not hurrying to the press. I hope that at least I have been sufficiently cautious to set down nothing that may mislead the reader. For the rest, I must trust to the indulgence which hitherto has encouraged my endeavors.

I am sensible to the generous kindness with which my work has been received in this country. Nor has foreign criticism dealt with it less liberally. It could not reasonably have been expected to have much attraction for English readers. It relates what was done in a few years, in a remote and narrow sphere of action, by a few worthy offshoots from their own generous stock; and in single instances, as in the account of the motives for emigration in the First Volume, and of the controversy between the Presbyterians and the Independents in the Second, I may perhaps be thought to have made some contribution to English history. But it is impossible for my book to be judged

by a standard applicable to works which relate the course of wars on a large scale, the intrigues of courts, and the vicissitudes of great empires. The nature of the subject determined that my main purpose should be to trace the growth of these States in their primitive colonial condition; and the materials for this narrative, which I could take only as I found them, are such as, in hands far more capable than mine, would, I suppose, hardly prove susceptible of picturesque exposition. On the other hand, an interest of a peculiar kind undoubtedly attaches to the elementary condition of a people which within so short a period has become so numerous and so important in the world. A few weeks only before the time at which I am writing these words, there passed away, in the scarcely abated strength of his fine powers, an illustrious man, whose life had covered considerably more than a third part of the life of Christian New England. When Josiah Quincy, of Boston, was twelve or thirteen years old, Nathaniel Appleton was still minister of Cambridge, and a preacher in the Boston pulpits; Appleton, born in Ipswich in 1693, had often sat, it is likely, on the knees of Governor Bradstreet, who was his father's neighbor; and Bradstreet came from England, in John Winthrop's company, in 1630. Eyes that had seen men who had seen the founders of a Cisatlantic England have looked also on New England as she presents herself to-day.

Everywhere in our times there are local antiquaries thoroughly acquainted, each in his place, with the parts of this history which I have essayed to combine into a whole. Either I have not hitherto fallen into material errors; or they have been unnoticed; or they have been passed over with lenity. While I have sedulously aimed at accuracy, I am not so ignorant as to presume that, in presenting so many matters of detail, I have escaped mistakes. I shall very gratefully receive suggestions enabling me to correct them.

In the preparation of this volume, I have continued to experience the kindness of friends who laid me under obligations for assistance in the earlier parts of the work. Among them I ought again particularly to mention Mr. Deane, Mr. Trumbull,

Mr. Haven, and Mr. Folsom. Questions which arose have often been submitted by me to one or another of these gentlemen, and never without obtaining such satisfaction as the case allowed. If, after all, I have sometimes differed from them, it has never been without diffidence, or without a careful revisal of the grounds of my own opinion.

For the beautiful embellishment of this volume which forms the frontispiece, I am indebted to my friends, M. Sandoz, who drew the Map, and Professor Guyot, whose personal observations of the topography of New England it records. Mr. Boynton's skilful graver has done justice to the delineation.

In illustration of statements made in this volume, I have very frequently resorted to the collection of Colonial Papers in the British State-Paper Office, which I carefully examined eight years ago. The memoranda which I made were accompanied by references to volume and page. But these references I could not now use, as the volumes have since been broken up, in order to arrange their contents in a more strict chronological order,— a step which it is earnestly to be hoped that the Government of Massachusetts may be induced to take with regard to its precious collection of State Papers, now lying in the chaotic disorder into which they were dispersed under the authority of joint resolves of the General Courts of 1839 and 1840. In 1860, too late for my advantage, Mr. W. Noel Sainsbury, of the British State-Paper Office, published, under the enlightened patronage of his government, the first volume of his masterly analysis of Colonial Papers. It comes down only to the year 1660, so that I have been without benefit from it. To Mr. Sainsbury's forthcoming volumes, with which a comparison will easily be made by the dates, I must appeal for the correctness of my citations from the manuscripts.

The papers to which I have referred by the title of "O'Callaghan, Documents, &c.," are well known by students of our annals to have been derived from a collection made in England, Holland, and elsewhere, by Mr. J. Romeyn Brodhead, the accomplished historian of New York. My references bear the name of the editor, in conformity to the title-page of the printed volumes.

In the history of New England there are chronological parallelisms not unworthy of remark. Some critical events in it were just a century apart. In 1665, the courtiers tried her temper with Lord Clarendon's Commission ; in 1765, they tried it with Mr. George Grenville's Stamp-Act. In 1675 began the attack on her freedom, which I have recorded in this volume ; in 1775 began the invasion which led to her independence of Great Britain. But the cycle of New England is eighty-six years. In the spring of 1603, the family of Stuart ascended the throne of England. At the end of eighty-six years, Massachusetts having been betrayed to her enemies by her most eminent and trusted citizen, Joseph Dudley, the people, on the 19th day of April, 1689, committed their prisoner, the deputy of the Stuart King, to the fort in Boston which he had built to overawe them. Another eighty-six years passed, and Massachusetts had been betrayed to her enemies by her most eminent and trusted citizen, Thomas Hutchinson, when, at Lexington and Concord, on the 19th of April, 1775, her farmers struck the first blow in the War of American Independence. Another eighty-six years ensued, and a domination of slaveholders, more odious than that of Stuarts or of Guelphs, had been fastened upon her, when, on the 19th of April, 1861, the streets of Baltimore were stained by the blood of her soldiers on their way to uphold liberty and law by the rescue of the National Capital.

In the work now finished, which is accordingly a whole in itself, I have traversed the first of these three equal periods, relating the history of New England down to the time of her First Revolution. If my years were fewer, I should hope to follow this treatise with another on the History of New England under the Whig dynasties of Great Britain. But I am not so sanguine as I was when, six years ago, I proposed " to relate, in several volumes, the history of the people of New England." Nor can I even promise myself that I shall have the resolution to attempt anything further of this kind. Some successor will execute the inviting task more worthily, but not with more devotion than I have brought to this essay, nor, I venture to think, with greater

painstaking. As I part from my work, many interesting and grateful memories are awakened. I dismiss it with little apprehension, and with some substantial satisfaction of mind. For mere literary reputation, if it were accessible to me, would not now be strongly attractive; my ambition has rather been to contribute something to the welfare of my country by reviving the image of the ancient virtue of New England; and I am likely to persist in the hope that in that honest undertaking I shall not appear to have altogether failed.

J. G. P.

Boston, Massachusetts;
1864, November 4.

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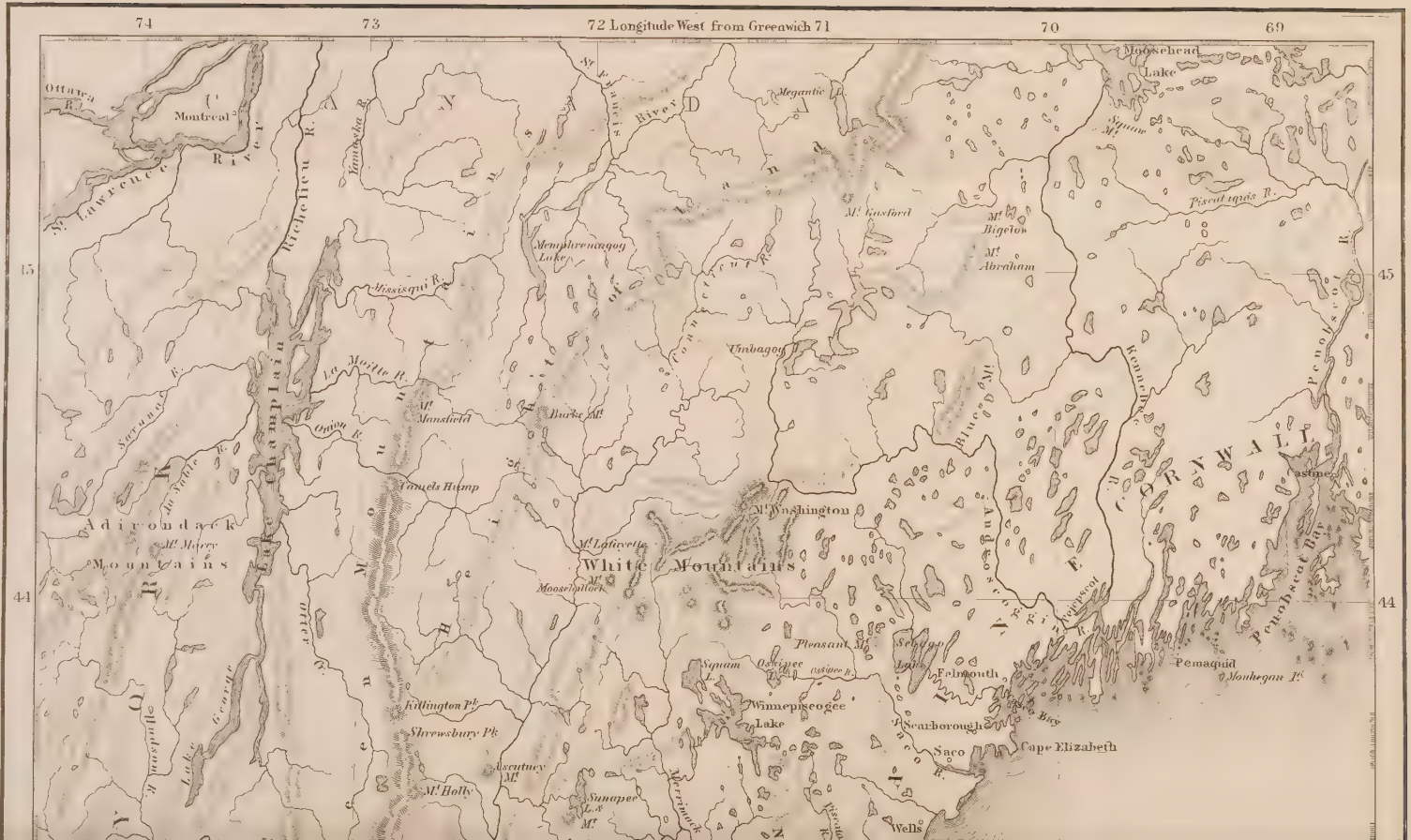
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Moosehead Lake
Mt Kineo
Mt Bigelow
Mt Abraham
Mt Kineo
Piscataquis R.
Blue Hills
Bangor
Pemaquid
Monhegan Is.
Mt Washington
Mt Lafayette
White Mountains
Moosilauke
Pleasant Mt.
Ossipee L.
Ossipee R.
Squam L.
Winnipiseogee Lake
Winnipiseogee R.
Sebago Lake
Falmouth
Portland
Scarborough
Saco R.
Cape Elizabeth
Saco Bay
Killington Pk
Shrewsbury Pk
Ascutney Mt
Mt Holly
Sunapee L.
Sunapee Mt
Merrimack R.
Wells

Engraved for Pelitrey's History of New England.

HISTORY OF NEW ENGLAND.

BOOK III.

FINAL RELATIONS WITH THE STUART KINGS.

CHAPTER I.

A BRIEF recital of events which took place in the parent country in the years that immediately followed the fall of Lord Clarendon from power, and the discomfiture of his agents in Massachusetts, will throw some light on the history of New England during that time. It will show how it was that the court had no leisure to renew its attempt against the Colonies. It will exhibit some subjects of anxiety which must have divided with matters of merely local interest the attention of patriots in New England. And in particular, in what it discloses of the King's adoption of the ambitious designs of his father, of the character of religious parties and policy in England, of the critical contest which was going on there between the national Church and the Church of Rome, and of the relations to both in which Protestant dissenters were involved, it will explain what strong reason the Colonists had to congratulate themselves on a breathing-time from English interference. Information of many of the events now to be related was brought over as they successively took place, and the sensations which it produced made an important feature of the life of the Colonists.

The earliest course of transactions abroad after Lord Clarendon's retirement was such as might be observed by them with satisfaction. Deprived of the steady counsels of that faithful minister, the King found himself at the same time more at liberty than he had been to consult his personal inclinations, and more subject to influence from the popular will.[1]

To this influence is to be traced a measure which at the time took Europe by surprise. When peace had been made with the United Provinces,[2] the resentments and apprehensions of Englishmen received a new direction. The recent war had discovered the ambition and the resources of the king of France. Louis the Fourteenth, now in the thirtieth year of his age, was the most powerful sovereign of Europe. A brilliant circle of statesmen and commanders stood by his throne. The great administrative ability of counsellors like Colbert and Louvois conducted the interior affairs of his wide, populous, and affluent realm, while captains like Luxembourg, Condé, and Turenne led to his wars a stronger military force than Europe had seen controlled by one man's will since the fall of the Roman empire.

France under Louis XIV.

Louis, in the right of his wife, who was a daughter of Philip the Fourth, king of Spain, claimed after her father's death certain provinces in the Spanish Netherlands.[3] No longer embarrassed by the war with England, he now poured forty thousand men into Flanders, and one Spanish stronghold after another fell into his hands, till he approached close to the border of the United Provinces. All Europe was alarmed by this display of his pre-

1665. Sept. 17.

His invasion of Flanders.

1667. July–August.

1 Lister, Life and Administration of Edward, First Earl of Clarendon, II. 491.

2 See Vol. II. p. 441.

3 Basnage, Annales des Provinces Unies, I. 734 *et seq.* Voltaire, Œuvres Complètes, XX. 325 *et seq.*

tensions and his power. The ancient jealousy of Englishmen towards France, suspended for a century while danger seemed more to threaten on the side of Spain, revived in full strength. The Dutch Republic entertained reasonable apprehensions of the consequences likely to follow from the near neighborhood of its recent ally.

That accomplished statesman, Sir William Temple, was now residing at Brussels, as minister to the Spanish Regent. He sought an interview at the Hague with the Pensionary, De Witt, then at the head of the Dutch administration. As well-wishers to their respective countries, though without authority to treat, they discussed public affairs in a free conversation, and Temple communicated what had passed between them in a letter to his brother, a rising lawyer, who had access to the court.[1] Whatever might be the personal inclinations of the king of England, he was not now in a condition to neglect the urgent wishes of his subjects. That public displeasure against the court which had brought Lord Clarendon to ruin was not yet exhausted. The King, in want of money, was open to the argument that he would do wisely to propitiate the favor of the Commons by a

Sir William Temple at the Hague. Oct. 10.

[1] Letter to Sir John Temple, in Works of Sir William Temple, I. 305. The letter is extremely interesting; not least so for De Witt's account, reported in it, of the behavior of our compatriot, George Downing, in bringing on the late war. — Pepys (Diary, IV. 224, 225) writes: "1668; Dec. 27. Met with Sir G. Downing, and walked with him one hour, talking of business, and how the late war was managed, there being nobody to take care of it; and he telling, when he was in Holland, what he offered the King to do if he might have power; and then, upon the least word, perhaps of a woman, to the King, he was contradicted again, and particularly to the loss of all that we lost in Guinny. He told me that he had so good spies that he hath had the keys taken out of De Witt's pocket when he was a-bed, and his closet opened, and papers brought to him and left in his hands for an hour, and carried back, and laid in the place again, and keys put into De Witt's pocket again. He says he hath always had their most private debates, that have been but between two or three of the chief of them, brought to him in an hour after, and an hour after that hath sent word thereof to the King."

quarrel with France. Temple received orders to repeat his visit to De Witt and sound him further, and then to come to London for consultation. From London he was sent back again to the Hague, where he proceeded in his business with such energy and despatch, that in five days from his arrival he had concluded a treaty of alliance.

The contracting parties agreed together to put a stop, on the one hand, to the conquests of France, by insisting on her adherence to the terms of a compromise which (not in good faith, as was believed) she had lately proposed to Spain; and, on the other hand, to compel Spain to accept the offer which had been made. Sweden was admitted as another party to the agreement, which accordingly received the name of *the Triple Alliance*. The measure was esteemed so important as to have restored England to her natural high place in the system of European politics. It made the English negotiator widely famous, and won back to his master not a little of the enthusiasm which the misconduct of past years had dispelled.[1]

The Triple Alliance. 1668. Jan. 13.

Another undertaking of the time, could it have been carried out, would have conciliated to the King a large and justly irritated portion of his subjects. On the dismissal of Lord Clarendon, Sir Orlando Bridgman, a dull and learned lawyer, without political ambition,[2] was placed at the head of the Chancery Court, as Lord Keeper. His moderate way of thinking in religious matters, as well as his views of what policy required in existing circumstances, inclined

1667. Aug. 31.

1 "The league ..... the only good public thing that hath been done, since the King come into England." (Pepys, Memoirs, &c., IV. 40; comp. 18.)

2 Sir Orlando was, however, an ambitious rhetorician, as the reader of his Charges when he sat on the Commission for trying the Regicides knows full well. (Howell, State Trials, V. 986–1301.) His opening speech (988–994) is a specimen.

him to measures of reconciliation with the Presbyterians, and of toleration to the Independents.[1] In his scheme for this end he was sustained by the Duke of Buckingham, now desirous of extending his popular connections; by Sir Matthew Hale, Chief Justice of the King's Bench, whose upright and generous mind welcomed every liberal project; by Wilkins, Bishop of Chester, whose genial temper and various studies, no less than his lax theology, rendered him incapable of bigotry; and by Stillingfleet and Tillotson, two young divines now rising to the height which they afterwards adorned in the most respectable days of the episcopate of England.[2] These eminent persons set on foot a negotiation with Baxter, Bates, Manton, and other Presbyterian leaders, for carrying into effect by special legislation the purposes which had been announced by the King in his Declaration at Breda.[3]

Scheme for a Religious Comprehension.

The King was not averse to the plan; the less so, because indulgence shown to any class of dissenters from the Church of England would afford a precedent for extending it to Catholics. But the Parliament that had banished Lord Clarendon was not behind that minister himself in stubborn devotion to the Church; and so far was it from favoring the proposed ecclesiastical reform, that the House of Commons by a very large majority refused to advise the King "to send for such persons as he should think fit, to make proposals to him in order to the uniting of his Prot-

1668. April 8.

1 Kennett, Complete History of England, III. 272.

2 Parliamentary History, IV. 515.

3 "There is great presumption that there will be a toleration granted, so that the Presbyterians do hold up their heads; but they will hardly trust the King or the Parliament what to yield them, though most of the sober party be for some kind of allowance to be given them." (Pepys, Memoirs, &c., IV. 18; comp. Reliquiæ Baxterianæ, III. 36–49; Burnet, History of His Own Time, I. 259.)

estant subjects."[1] Other proceedings of the Commons showed that discontent was only partially allayed by the welcome treaty with Holland. Inquiries were instituted into the management of different departments of the administration; an address was presented, praying the King to order a strict execution of the laws against dissenters; and only the meagre supply was granted him of three hundred and ten thousand pounds. It was plain that further liberality for the present was not to be looked for, and Parliament was prorogued.

Increased severities against Non-Conformists.

May 9.

At the end of a year and a half another short session was held. But again the Commons were obstinate, and the King could make no way. Whatever it was that revived his hopes, he soon repeated the experiment. Probably he expected to obtain favor by yielding to the current of animosity against dissenters. A new *Conventicle Act* was passed, which imposed fines of five shillings for the first offence, and ten for the second, on all persons present at a meeting for dissenting worship, and of twenty pounds for the first offence, and forty for the second, on preachers, and on householders harboring the meeting. The Act further provided, that "all clauses therein contained should be construed most largely and beneficially for the suppressing of Conventicles, and for the justification and encouragement of all persons to be employed in the execution thereof."[2] When the King had given his assent, he found himself ill requited for the complaisance by a penurious grant of the proceeds of the duties on

Eighth Session of Parliament. 1669. Oct. 19 – Dec. 11.

New Conventicle Act. 1670. April 11.

[1] Burnet, History of His Own Time, I. 363; Pepys, Memoirs, IV. 34, 35; Vaughan, Memorials of the Stuart Dynasty, II. 359; Neal, IV. 457–462; Parliamentary History, IV. 404–427; Journal of the Commons, IX. 77.

[2] Statutes at Large, III. 822–325; comp. Amos on the English Constitution, &c., 116–122. Under the Conventicle Act, Richard Baxter was imprisoned five different times.

some imports, and of authority to sell some of the ancient demesnes of the crown. With the help of fanatical informers, the Conventicle Act was sharply enforced, and dissenters were harassed with new zeal.[1]

Naturally the King was disappointed and vexed. He had come into the measure of the Triple Alliance with no good-will, and now it had proved barren of the expected fruit. Without being ambitious of power for itself, free from all relish for the task of governing, he was impatient of being observed and criticised. The idea of despotic authority was attractive to his mind, because a despot may be self-indulgent without limit as to his means, and without the restraint of any comment that he cares for. No money was to be had from Holland for his private use, and the relations into which he was brought by the alliance with that state assigned a leading part in public affairs to honest Englishmen who would keep a watchful eye upon the public treasury. In a different quarter there was a brighter prospect.[2] In a bargain between the king of England and the king of France, each had a valuable consideration to offer. Louis could afford to pay for withdrawing England from her new engagements, that he might pursue more easily his operations in the Netherlands. Charles had the honor of his crown and the interests of his subjects to sell for money, which would enable him to gratify his minions, and to dispense with the attendance of meddlesome Parliaments. If disturbances should follow, the king of England would need an armed force to put them down; and an armed force the king of France was prepared to furnish, and would find his account in furnishing, for the foreign sovereign who should suppress a popular

French partialities of the King.

1 Comp. Neal, IV. 468–474.

2 De Witt had intelligence of what was going on, in little more than a year after the Triple Alliance was made. (Works of Sir William Temple, II. 40.)

insurrection on English soil would have made himself master of both King and people. There was yet another point of sympathy between the two monarchs, though, beyond the nearest circle about the British throne, its existence was scarcely as yet suspected. Louis, even amidst the irregularities of his early life, was bigoted to the Church, and Charles had become desirous of declaring himself a Romanist, as soon as it should seem that the avowal might be safely made.[1]

The Cabal Ministry

The confidential advisers of the crown were now the five ministers known collectively by the name of the *Cabal*, the letters which compose that word being the initial letters of their names. Not one of them was now less devoted than the King himself to his scheme of grasping at arbitrary power. Sir Thomas Clifford, soon ennobled as Lord Clifford, and made Lord Treasurer, was a man of honor after his own standard, though passionate and overbearing. The distinguished good-breeding of the Earl of Arlington (the Secretary Bennett) pleased the King, to whom a quiet but steady and watchful selfishness fitted him to be perpetually subservient and useful. The Duke of Buckingham, a jaded libertine, had sat down to the game of politics as a fresh resource for the excitement which his restless genius craved.[2] The profound and

[1] According to James's account (Clarke, Life of James the Second, I. 440) it was "in the beginning of the year 1669" that he determined at all hazards to profess himself a Romanist; and on the 25th of January of that year, his brother held a consultation with him, Lord Arundel of Wardour, Lord Arlington, and Sir Thomas Clifford, "about the ways and methods fit to be taken for advancing the Catholic religion in his dominions, being resolved not to live any longer in the constraint he was under." (Comp. Vaughan, Memorials of the Stuart Dynasty, II. 368, 370.)

[2] It was said that, in the time of Cromwell's greatness, Buckingham made suit to him for the hand of his daughter, the Lady Mary. Being refused, he married a daughter of Lord Fairfax. While a member of the Cabal, an intrigue with the Countess of Shrewsbury brought him into a duel with her husband. The lady, in the dress of a page, held the Duke's horse, while he fought with her husband, whom he killed. Buckingham brought her to

far-sighted Lord Ashley (better known in history by his later title of Earl of Shaftesbury) was now devoting to the service of a dissolute sovereign the admirable abilities which had yielded their first-fruits in the sober counsels of the Commonwealth. The activity, experience, and brutal energy of Maitland, Earl (afterwards Duke) of Lauderdale, made him a fit instrument for some of the worst business of the court. In private he professed himself a Presbyterian, but his convictions did not prevent him from attempting to expel Presbytery from his native Scotland by massacre and torture.[1] Sir John Trevor, a creature of Buckingham, was made Lord Arlington's colleague as Secretary of State, in the place of Monk's friend, Morrice.[2] 1668. Dec. 9.

With such support Charles the Second revived his father's scheme for the establishment of a despotic monarchy. His sister, Henrietta, married to King Louis's brother, the Duke of Orleans, was a Catholic devotee, and had talents for political business. She came to Dover, where her brother met her, and the 1670. May 17.

his house, and when the Duchess complained of the insult, and said that it was not fit for her to live under the same roof with his mistress, "I have been thinking the same thing, Madam," he replied, "and so have ordered your Grace's carriage to the door to take you to your father."

1 Burnet has drawn the characters of the *Cabal* ministers. (History of His Own Time, I. 225, 308, 99, 100, 96, 265, 101; comp. Clarendon, Life, &c., 181, 370.) Dryden's brilliant sketches, in "Absalom and Achitophel," of Buckingham (Zimri) and Shaftesbury (Achitophel), poetry though they be, are fairly adopted into history. The poet's *non-committalism* in respect to Arlington (Eliab) is perhaps to be ascribed to the known dislike of the Duke of York to that nobleman. According to Evelyn (Memoirs, I. 400), Clifford owed his first advancement, which took the whole court by surprise, to the personal favor of Arlington. But King James says that, when he pressed upon his brother the appointment of Clifford as Lord Treasurer, Arlington was displeased and permanently estranged, having aspired to it himself. (Clarke, Life of James the Second, I. 481, 482.) Evelyn confirms this statement also (I. 464, 465). Arlington married his daughter, when she was only five years old, to the Duke of Grafton, the King's son by the Duchess of Cleveland. (Ibid., I. 456.)

2 Trevor continued in office three years and a half. He died May 28th, 1672, and was succeeded the following 3d of July by Henry Coventry. (Kennett, III. 316.)

terms of a treaty were arranged.[1] Charles agreed to declare war against the United Provinces, and, in case of the death of the young king of Spain, to assist Louis in maintaining the claim of his wife to the succession to the Spanish throne. Louis stipulated on his part to pay to the king of England an annuity of two hundred thousand pounds, and to assist him with six thousand troops, if he should require so many, to secure the quiet of his dominions. These contracts, kept secret from the public, were concerted with the privity of all the members of the Cabal; and the treaty, so far, bore their signatures. But there was yet another article which was concealed from them all except Clifford and Arlington. In it Charles engaged himself to his new ally to make a speedy announcement of his reconciliation to the Church of Rome.

Treaty between Charles and Louis.

The treaty was signed at Dover on the tenth anniversary of the King's landing at that place to resume his government. His new allies understood how to secure him. With the princess came, as one of her maids of honor, an attractive Frenchwoman, named Louise de Querouaille. The King brought her to court, and gave her a rank, as Duchess of Portsmouth, above all but a few of the noble matrons of the realm; and the control which to the end of his life she held over his mind was exerted in behalf of the interests and the religion of her country.

May 22.

1671. May 31.

A year after the signature of this treaty, the Duchess of York, Lord Clarendon's daughter,

[1] A series of letters written by Charles to the Duchess on this occasion, some of them in cipher, were printed by Dalrymple (Memoirs of Great Britain and Ireland, II. 21–34), and are of great interest. As early as April 28, 1669, Pepys wrote (Memoirs, Diary, *ad loc.*): "I find that it is brought almost to effect, that for a sum of money we shall enter into a league with the king of France, and that this sum of money will so help the King, that he will not need the Parliament; my Lady Castlemaine is instrumental in this matter. But this is a thing will make the Parliament and kingdom mad."

died in the communion of the Church of Rome;[1] and presently her husband, the heir presumptive to the throne, threw off the thin disguise which hitherto he had worn, and announced his own submission to the successor of St. Peter. England seemed to be again drifting back to Popery.

Intelligence or suspicion of the late transactions with the king of France might get abroad, and then it might well be feared that Parliament would prove impracticable. The King, always out of money, convoked the Houses, and with facile dishonesty laid before them the necessity of expensive preparations to carry out the objects of the Triple Alliance. They now made him a liberal grant, and were immediately prorogued, leaving him to flatter himself that for a while his plans might be prosecuted without embarrassment.

Ninth Session of Parliament.

April 22.

But the recent supply, though as large as could be expected from the Commons, was not sufficient to afford the ease that he wanted. The goldsmiths of London had been in the habit of lending money to the government on the security of taxes that had been voted, receiving their payments with interest as the collections were made. These obligations of the government were negotiable, and constituted a basis for commercial operations. A million and a quarter of pounds sterling had now been borrowed in this way. Notice was given that the debt would not be discharged at the end of the time for which it was con-

Repudiation of public debt. 1672. Jan. 2.

[1] But according to Mrs. Godolphin, who at the time of the death of the wayward Duchess was one of her maids of honor, her new religion failed her at the last. "The Duchess dead; a princess honored in power; had much wit, much money, much esteem; she was full of unspeakable torture, and died (poor creature) in doubt of her religion, without the sacrament, or divine by her, like a poor wretch." (Evelyn, Life of Mrs. Godolphin, p. 13.) Her husband, however, tells a different story. (Clarke, Life of James the Second, I. 452.)

tracted, and that the holders of bonds would receive only the interest upon their loans. Bankruptcies followed, and the shock and distress in the financial circles were great.[1] Clifford is said to have advised this grossly fraudulent proceeding. Bridgman, the Lord Keeper, could not make up his mind to lend himself to it. He resigned his great office,[2] and, to the surprise of all Englishmen, Lord Ashley, who had no reputation as a lawyer, was made Lord Chancellor.[3]

Nov. 17.

A measure of a different character from that which had distressed the merchants created much more general dismay. By a proclamation called the *Declaration of Indulgence* the King suspended the execution of "all manner of penal laws in matters

Declaration of Indulgence. 1672. March 15.

1 Wilson, Memoirs of the Life and Times of Daniel Defoe, I. 52. — Peter Tilton, of Hadley, attending the General Court of Massachusetts, caught the feeling that prevailed around him. He wrote to his wife from Boston (May 18, 1672): "O what a price doth divine patience yet betrust us with, when he is drawing out the sword and arraying himself with the garments of vengeance as to other kingdoms, and when it is more than probable many garments are tumbling in blood. As to the news from England, all men, both wise and others of more ordinary capacities, look on the effect or produce thereof will be as black a day in the world as the world hath known. The late actions in England in commissionating their fleet to seize and fall on the Hollander, of which I wrote you in my last, breaking their league, joining with the French, assisting them with soldiers out of England, and with their principal harbors to receive a numerous army, and shutting up the exchequer, whereby many are outed of their estates contrary to all law, are things that both in England and here, by men of all sorts, are looked upon as strange, horrid, and ominous."

"This day," he continues, "the General Court hath appointed the fourth day of the week ensuing (for themselves) a day of solemn fasting and humiliation to fall down upon their knees before Almighty God, for and in the behalf of his cause, name, people, and interest, that in this day are so deeply designed against by the serpent and his seed, and that by this black cloud of tumult and commotion now amongst the nations the Lord would bring forth the accomplishment of those promises of his, that his people are so earnestly looking after and waiting for." (Hutchinson, Coll., 441.)

2 Burnet says (History of His Own Time, I. 307), that Bridgeman was dismissed because of refusing to put the great seal to the *Declaration of Indulgence*. Hume judged that he was "for that reason, though under other pretences, removed from his office."

3 "Except being free from gross corruption, the worst judge that had ever sat in that court." (Campbell, Lives of the Chancellors, IV. 176.)

ecclesiastical, against whatever sort of non-conformists or recusants."[1] The proclamation gave liberty to dissenters to meet for worship in buildings licensed for the purpose, while Catholics were obliged to "confine their religious assemblies to private houses." But it was universally understood that this distinction was only a blind, and was expected to reconcile the Protestant dissenters to a toleration of the partisans of Rome. With few exceptions, the former body rejected a privilege for themselves which was to be coupled with a concession of what to them was mere idolatrous impiety.[2]

In pursuance of the treaty with France, a war was now to be undertaken against Holland. The real motive for the measure could not be avowed. No valid cause for it existed, and the government was fain to have recourse to the most frivolous pretences.[3] Nor was war declared till after, in perfidious

War with Holland. March 17.

[1] Parliamentary History, IV. 516.

[2] "When the Declaration for Toleration was published, great endeavors were used by the Court to persuade the Non-Conformists to make addresses and compliments upon it. But few were so blind as not to see what was aimed at by it." (Burnet, History, &c., I. 308; comp. Reliquiæ Baxterianæ, III. 99.) Nothing occurred of a nature to justify Lingard's assertion (XII. 245) that "the dissenters gratefully accepted the indulgence." Some were disposed to do so, but better counsels prevailed. In James Pierce's "Vindication of the Dissenters," &c. (1718) one may read how these transactions were regarded by the Non-Conformists in the next generation. For their position in respect to the Declaration of Indulgence, see that book, pp. 241 *et seq.* (Comp. Neal, IV. 485–489.)

[3] One of these was that a Dutch Admiral, in command of a large fleet close in with the coast of Holland, had not lowered his topsails to a yacht of the king of England. The little craft, in obedience to her orders, kept up a fire on the Dutch leviathans as she passed them, and it was not returned; but the Admiral went on board of her, and explained that he should at once have paid the compliment to an English man-of-war, but could not venture to do it in a case like the present without orders from his government. The thing seemed too ridiculous to be persevered in, but the Englishman kept on firing, though not with such an aim as to provoke the dumb monsters too far; and he sailed home unharmed with a story that served the purpose of his masters. (Burnet, History, I. 426.) "Surely this was a quarrel slenderly grounded, and not becoming Christian neighbors." (Evelyn, Memoirs, I. 448.) Sir William Temple's wife was on board of the yacht. (Temple, Works, II. 177.)

disregard of the existing relations with that power, the King had already ordered his Channel fleet to
March 3. make an attack on a rich convoy of Dutch vessels returning from the Levant. In consequence of a want of concert among the English officers, the attempt was only partially successful; but the outrage could not be passed over. In the contest that followed, the Dutch were for a while reduced to great distress. On their proper element, indeed, in circumstances however unpropitious, they lost nothing of their ancient renown. But on land the force combined to ruin them was out of all proportion to their capacity of resistance. A hundred thousand men crossed their borders, led by the king of France, with Condé and Turenne for his lieutenants. Of the seven provinces of the Republic three were overrun, and the invaders encamped within a few miles of Amsterdam.

The consternation occasioned by these disasters opened, through rough passages, the way of relief. The republican party was deprived of power, its illustrious
Aug. 20. champion, De Witt, falling a sacrifice to popular fury in the struggle; and the Prince of Orange, now twenty-two years of age, was placed at the head of his country's affairs. The Prince was not a successful commander; but his unconquerable resolution and his political capacity supplied what the crisis called for. While he managed to bring to the view of his allied enemies some differences of interest between them, and cultivated the friendship of the states of Germany, he succeeded in persuading his countrymen to make an heroic effort for deliverance. They opened their dikes. The sea rushed in and covered their country, except where the towns showed like so many islands; and the invaders had to retreat for their lives.

Tenth Session of Parliament. Parliament was called together again in the spring which followed this change in the pros-

pects of the Continental war. In the interval, which had lasted two years, several members of the House of Commons had died, and, in anticipation of the probable temper of that House, it was seen to be important to fill the vacancies by the election of persons friendly to the court. The recent practice had been for the Speaker to issue the writ for an election to fill a vacancy, after the vacancy had been ascertained by the House. But Lord Shaftesbury, reviving the ancient practice of issuing writs under the Great Seal, and accordingly having the choice of time and of channels of intelligence, proved to have secured such an advantage that nearly all the new members returned were friends of the Cabal.

Of the hard task which devolved upon him at the meeting of Parliament he acquitted himself with his accustomed boldness and ability. He told the Houses that the war was theirs; that the Dutch confederacy was the implacable foe of monarchical governments, and was a *Carthage to be destroyed;* and that it was now for the representatives of England, by furnishing a generous supply for the conduct of the war, to show how rash were all calculations founded on the supposition that they were dissatisfied with the policy of the King. 1673. Feb. 5.

The Commons, however, resumed the practice of the early years of the century, and engaged first in the consideration of grievances. The holding of elections under the Chancellor's writ was condemned as an abuse; the members who had been chosen under that process withdrew; and the Speaker's writ was issued for new elections. The House resolved to make a grant of two hundred and sixty thousand pounds; but by their silence respecting its use they refrained from expressing approbation of the war, and they delayed giving their grant the form of law, lest a prorogation should immediately disarm them. Next they took up the recent

Declaration of Indulgence, which they reasonably represented as a measure of such a character, that to recognize its principle would be to admit a power, residing in the sovereign, virtually to repeal all the laws of the realm. The King desired to persist; to retreat would be for him not only a disappointment, but a humiliation. But it was plain that the Commons had again come together in an unmanageable mood. The scenes of thirty years before uttered stern warning. If there were trouble in England, he doubted whether the six thousand troops promised from France would be able to compose it, even if the king of France should now be able to spare them from his Continental war. Charles was, as usual, in debt, and the present temper of the nation did not invite him to raise money in the ways that had for a while sufficed his father. His prudence or his indolence prevailed. To break the fall, he went through the form of asking the opinion of the Peers. They advised him to give way, and retract the Declaration; which he accordingly did, breaking the seal with his own hand.

The Declaration of Indulgence withdrawn.

March 8.

Lord Shaftesbury took alarm and offence. This was not the sort of king of whom he desired to be chief adviser. The fate of Strafford rose to his memory, and he considered with himself what degree of reliance might be prudently placed on the protection of a cowardly monarch against an angry Parliament. With him to resolve was to act; nor was he accustomed to lose time in devices for maintaining the reputation of consistency. He turned popular leader, and for the moment gave irresistible strength to the party which he espoused.

Disaffection of Lord Shaftesbury.

The religious zeal of Parliament was probably stimulated by a conviction that it had to meet the responsibility of protecting the Church, so incompetent and

inefficient were most of the principal clergy. It would not be extravagant to conjecture that the King had designed to weaken the ecclesiastical system of the realm by placing men of inferior capacity or heterodox opinion in its highest offices. Jeremy Taylor (married to Charles's half-sister) administered an obscure bishopric in Ireland. Isaac Barrow was never promoted beyond the Mastership of a College; while men of ordinary qualifications, such as Sancroft, Juxon, Sheldon, and Compton, sat on the episcopal benches. Wilkins was far the ablest of the bishops, and he was currently said to be a Socinian.[1]

The withdrawal of the Declaration of Indulgence was not enough to quiet the alarm which had been created in Parliament by what had been evinced of the King's lenity to Romanism. A law called the *Test Act* was passed. It required that all persons, to be capable of holding public office, should solemnly declare their disbelief in the doctrine of transubstantiation, in addition to taking the oaths of supremacy and allegiance, and receiving the sacrament from a clergyman of the Church of England.[2] The Commons then gave to their grant of money the form of law, and Parliament was speedily prorogued.

Passage of the Test Act. Feb. 28.

March 29.

When they next came together, great excitement was produced by intelligence of the recent marriage of the Duke of York. He had been wedded, by proxy, to a Catholic princess, daughter of the Duke of Modena, an

1 Buckle, History of Civilization, II. 281 - 283.

2 Hard as the Test Act bore on the Dissenters, they sustained it from the same elevated policy which had prompted them to condemn the Declaration of Indulgence. (See Amos on the English Constitution, 149 - 155.) They were also conciliated by the promise of some legislation for their relief; but relief never came in the form of legislation till after a century and a half. In the interval Dissenters holding office were only protected by the series of Annual Indemnity Acts, which began with the reign of George the Second.

ally of the king of France. The session began with an address of the Commons to the King, remonstrating against this alliance. The King replied, that the objection came too late. The Commons were now wrought up to a temper that had never been witnessed before since the restoration of the monarchy. They resolved to present a second memorial, of like tenor with the former; to refuse supplies, except in some case of extreme emergency, till further precautions were taken against Popery, and till other grievances should be redressed; to make provision for the exclusion of Papists, not only from executive and ministerial offices, but from Parliament; to reduce the regular military force; and to pray the King to appoint a day of general fasting, to implore the Almighty to avert the evils that threatened the nation. These proceedings looked too much like those which had introduced the Civil War. The courtiers took alarm, and again Parliament was in haste prorogued.

Eleventh Session of Parliament. Oct. 20.

Nov. 4.

The Test Act displaced the Duke of York from the office of Admiral,[1] and Lord Clifford from the office of Treasurer. The King took the Great Seal from Lord Shaftesbury, and the Cabal ministry was fatally crippled. Money was still indispensable, and Parliament was brought together again in two months. The House of Commons began the session by addresses praying the King to proclaim a Fast-day for imploring security against "the undermining practices of Popish recusants";[2] to forbid the approach of Popish non-householders within ten miles of the Houses of Parliament during a session; to order an enrolment of Popish householders, dwelling within five miles of London; and to have the militia prepared for an immediate

Twelfth Session of Parliament. 1674. Jan 7.

[1] "Designed to hew the imperial cedar down,
Defraud succession, and disheir the crown."
Dryden, *Hind and Panther.*

[2] Parliamentary History, IV. 618.

movement to disperse assemblages of Papists and other malecontents. They voted that the peace of the nation required that all persons "Popishly affected, or otherwise obnoxious or dangerous," should be removed from the royal councils.[1] They presented a memorial to the King, praying him to "remove the Duke of Lauderdale from all his employments, and from the royal presence and councils forever."[2] A similar sentence, somewhat qualified, was passed against Buckingham, who, to the great displeasure of the peerage, appeared before the Commons and made a defence.[3] The proceedings against Arlington, obstructed and embarrassed by persons secretly his friends, came to no definite issue.[4] He was superseded as Secretary of State by Sir Joseph Williamson, hitherto his Under-Secretary,[5] and was provided for by a high office in the royal household. Here he disappeared from the public theatre of politics, though he continued to exercise no little influence over the ministry which followed. Buckingham, like the more cunning Shaftesbury, turned tribune of the people. The action of the English Parliament was of force only in England, and Lauderdale was continued in all his offices in the Northern kingdom, and to all intents at the head of its administration.

Dissolution of the Cabal ministry.

May 11.

From questions of domestic policy the Parliament hastened to a consideration of foreign affairs. The Commons frankly avowed their purpose to make no further grants for carrying on the war with the United Provinces, unless fair terms of pacification should be rejected by that power. It had become plain to the King that he could not at present avail himself of the benefits

1 Parliamentary History, IV. 624, 625.

2 Ibid., 625 – 630.

3 Ibid., 630 – 649.

4 Ibid., 650 – 657. Journals of the House of Commons, IX. 286 – 314.

5 Evelyn (Memoirs, I. 469) gives no good character of Williamson.

expected from his treaty with France. He had called Sir William Temple from his retirement, and sent him to the Hague; and that able ambassador now easily negotiated a separate peace.

Peace with Holland. Feb. 9.

During four years after the downfall of the Cabal ministry, the royal councils were guided by the statesman best known in history under the name of the Earl of Danby. Sir Thomas Osborne, a Yorkshire baronet, who, in the House of Commons, had taken a prominent part on the side of the court, was raised to the great post of Lord Treasurer a few months after the resignation of Clifford.[1] He was at the same time created Baron Osborne and Viscount Latimer, and a year later was advanced another step in the peerage as Earl of Danby. He must be reckoned for an honest statesman, when judged by the standard of those times. He bribed others freely, and he was not above receiving bribes. He desired to restore to English royalty the prerogatives of which it had been shorn in the recent reigns, and to make his master a sovereign after the manner of the Tudors. But he aimed to carry on this counter-revolution by the agency of Englishmen alone. So far from being capable of entertaining the scheme of the Cabal ministry, to make the king of England a despotic vassal of France, he hated France with all the vivid instinct of his energetic nature.

Ministry of Lord Danby. 1673. Aug. 15.

Pleased with the peace with Holland, all English Protestants were again disposed to gratify the King. The time seemed favorable for taking a final pledge of the loyalty of the Cavaliers, and installing the sovereign and the Church in secure authority. Parliament was again called together.[2] A bill

Thirteenth Session of Parliament. 1675. April 13.

1 Evelyn, Memoirs, I. 462, 464, 465.

2 John Collins wrote at this time (March 19th, 1675) to Governor Leverett: "The King, by the prevalency of the bishops over him, hath within this month or six weeks taken off the

was brought into the House of Lords, which excluded from both Houses, and from every public office, all persons but such as should take an oath that they considered resistance to the King to be criminal in all circumstances whatsoever, and that they would not, "at any time, endeavor the alteration of the government, either in church or state."[1] The measure was pending for several weeks. In a vehement opposition which was made to it, Buckingham and Shaftesbury took the lead. Though unable to obtain its formal rejection, their dexterous tactics embarrassed its promoters at every step; and it never became a law, though repetitions of the attempt to carry it through did not cease to be probable. A quarrel between the two Houses on a question of privilege was one occasion of delays. It has been even supposed that the question was raised for that purpose. By leading to two prorogations of Parliament, after sessions consisting each of only two weeks, it favored the present designs of the popular party. A fierce opposition had

Defeat of the High Tory party. June.

protection of his licenses given us in March '72, and, together with a hot prosecution of the Papists, left us also a very troublesome persecution, wherein many are spoiled of their goods, several imprisoned, which last cost the life of a worthy minister, Mr. Thompson of Bristol, pastor of the church there; several returned upon twenty shillings a month into the exchequer, to their utter undoing. This city [London] yet scapes best; you cannot imagine how averse the spirit of the magistrates is to meddle with us. What importunity and opportunity may at last produce, we are fearful. The Parliament meets April 13; how they will back these things or check them, we desire to wait with prayer and faith. All things here threaten a storm as coming upon us. All we desire, if God keep us faithful to himself, he will deliver us from sin, the greatest evil, and we shall hope the wrath of man shall praise him, and the remainder he will restrain. Things in the parts beyond sea look still as proceeding to further war and confusion; Holland's condition yet distracted; the Protestants everywhere sufferers; and yet the Popish swords drawn one against another. Methinks the coming of our Lord should be near, in the faith of which we desire to wait. The Parliament will one way or other give a great change to things, and make me have more news to send, which I shall communicate as opportunity serves, though I expect none good." (Hutch. Coll., 474, 475.)

[1] Parliamentary History, IV. 715–721; comp. Burnet, I. 539–543

been organized against Lord Danby's management of affairs, and articles of impeachment were exhibited against him, which were only rejected after a long and acrimonious debate.[1]

Pacific disposition of the king of France.

The prosperity of the French arms seemed for a time to wane. Louis, who took the field in person, found it imprudent to risk a general action, without which he could not penetrate into the Low Countries. His great general, Turenne, was killed by a random shot while reconnoitring the imperial army on the Upper Rhine. At Treves, the French experienced, under Marshal Créqui, the only defeat which befell them by land during the sixty years that preceded the battle of Blenheim. In these circumstances the king of France became less indisposed to a pacification; and, under the mediation of the English government, arrangements were made for a meeting of ambassadors of the belligerent powers at Nimeguen in Guelderland, to discuss the terms of an agreement. The Dutch on the one hand, and Louis on the other, were well inclined to an immediate negotiation; but the German and Spanish allies of Holland, too much elated by their recent successes, interposed delays. The fortune of war, however, soon changed again to some extent; the young Stadtholder of Holland threatened to make a separate treaty, if his allies persisted in holding back; and their ambassadors at last appeared. But still the negotiation went on sluggishly, each party hoping to improve its position in the further progress of the war.

1676. December.

In England, patriotic men contemplated this state

[1] Parliamentary History, IV. 688–695. — "For tactics there is no parliamentary campaign more brilliant than this of Shaftesbury." (Campbell, Lives of the Chancellors, IV. 190.) After the session, Shaftesbury published the story of it in "A Letter from a Person of Quality to a Friend in the Country," in the composition of which his *protégé*, John Locke, is said to have had a hand.

of things with extreme solicitude. The King was grievously embarrassed between his secret engagements to France and fear of his jealous people. The need of money was an ever-present consideration with him to control his judgment when other reasons were balanced, and again he convened the Parliament, after a recess of fifteen months.

When it assembled, Buckingham and Shaftesbury were found to be provided with a new element of discord. On the ground of an unrepealed statute of Edward the Third, which required that there should be a meeting of Parliament once in every year, they insisted that the present meeting was not a legal Parliament.[1] They were, however, committed to the Tower, where they were kept for several months, and the public business proceeded. Danby introduced a bill for investing the bishops with the ecclesiastical patronage of the crown, in case of the accession of a Popish sovereign;[2] the Commons rejected it, being unwilling alike to entertain the question of such a succession, and to repose such a confidence in the bishops. A second bill offered by the prime minister met a similar fate, being thought by the Commons to favor Popery under a show of severity against it.[3] A grant of five hundred and eighty-five thousand pounds was made for the increase of the naval force; but the money was placed in the hands of commissioners, who were to account to the House of Commons for its expenditure.[4]

Fifteenth Session of Parliament. 1677. Feb. 15.

While Parliament was thus employed, a new direction was suddenly given to its counsels, by the arrival of intelligence of signal successes of the king of France. Taking the field before the opening of spring, he had beaten the Prince of Orange in a pitched

French successes.

1 Parliamentary History, IV. 813–833.
2 Ibid., 853–857.
3 Ibid., 861–863.
4 Journals of the House of Commons, IX. 419–422.

battle, and reduced three of the principal cities of Flanders. The House of Commons immediately made an Address to the King, praying him to take measures to obstruct the ambitious designs of France.[1] He replied in unsatisfactory terms, and the application was renewed with earnestness. The King then proposed to accede to the wish of the House, and prosecute a vigorous war, if Parliament would place in his hands a sum not less than six hundred thousand pounds. But they would not trust him with it, before there should be a declaration of war. They feared that, if the money should be first provided, it would not be spent for its legitimate purpose, and might be used against themselves. The parties could not satisfy each other, and Parliament was prorogued.[2]

May 13.

In the recess, availing himself of a suspension of military operations, the Prince of Orange came to England. One of his objects was to present himself as suitor for the hand of his cousin, Mary, oldest daughter of the Duke of York. The marriage took place, and Danby and Temple persuaded the King to agree to present to France certain terms of pacification with the Dutch, and to add a threat of immediately taking part against her in case they should be refused. Temple was instructed to repair to Paris, and there require a categorical answer, to be given within two days. Before his arrangements for departure could be made, he was superseded by a messenger of far inferior capacity, whom Louis managed to satisfy and send back without the answer which it was his business to bring.

Marriage of the Prince of Orange to the Princess Mary. September.

Unpropitious to the designs of Louis as was the alliance now formed by his great rival with the royal family of England, that crafty prince professed not to take it in ill part. Though he knew that the private

[1] Parliamentary History, IV. 845. [2] Ibid., 961 – 964, 972 – 977.

agreement between Charles and his nephew had been followed by a formal compact between their governments to enforce the terms of pacification which had been proposed, he was too well acquainted with the character and position of Charles to suppose that he would certainly prove inflexible. A quarter's allowance due from France to her pensioner under the secret treaty was withholden; but at the same time excuses were made which did not refer to the real cause, and hopes were held out of a large increase of the bounty, if satisfactory conditions should be arranged. December.

In England, Parliament, once more assembled after a recess, attempted to stimulate the King by liberal proposals of support. It resolved to collect an army of thirty thousand men, and a fleet of a hundred vessels, and to appropriate at once for the purpose the sum of a million of pounds sterling.[1] But the prevailing distrust of the King's sincerity obstructed all definitive arrangements. When the practical question was presented, they who most deplored his friendship for France, and were perpetually exciting him to active hostility against that power, could not prevail upon themselves to furnish him with means for such hostility, lest the means they provided should be used, not against France, but against England. Louis well knew the causes and the relations of this distrust, and took care to stimulate it by the communications of his ambassadors with the King of England on the one hand, and the patriots on the other. Abortive military preparations. 1678. February.

Meanwhile, though beset with embarrassments and apprehensions which made him on the whole desirous of peace, he did not fail to pursue his present advantages in the field, with a view to better terms. Intelligence

1 Parliamentary History, IV. 940 – 943; Journals of the House of Commons, IX. 441.

that he had besieged and taken the towns of Ghent and Ypres set England again in a flame, and Sir William Temple, despatched in haste to the Hague,[1] made a treaty with the States, by which England agreed to embark with all her forces in the war against France, unless within sixteen days that power should evacuate six Netherland towns which were specified. But before there was time for the King of England to ratify the treaty, the jealousy of him entertained by Parliament again influenced them to deny the necessary supplies, and this arrangement too was frustrated. It was plain that the Netherlands and their allies could not prudently place any reliance on aid from England; France, on the other hand, had made great efforts, and desired temporary repose; and though she was not in a condition to extort humiliating terms, and though her position would have been one of peril if England had taken part against her, (of which there was always some danger,) yet on the whole her valor and diplomacy were rewarded by the attainment of most of the objects for which she had engaged in the war. By the articles of peace signed at Nimeguen, her territory was materially extended towards the Rhine by the acquisition of several important Flemish towns. Whoever, in the course of these transactions, had reposed trust in England, had been disappointed; but she remained unharmed, except in honor.

Treaty of Nimeguen. July 31.

The instructive spectacle of the rivalry between encroaching Popery in the palace and intolerant Episcopacy in Parliament must have made the rulers of Massachusetts felicitate themselves afresh on the successful resistance they had offered to the emissaries of Lord Clarendon; since, had that resistance been overborne, the interest of New England in what was passing in the parent country would have been that of terror,

[1] Temple, Works, II. 441.

while, as things stood, it was little more than the interest of curiosity as to the event, and of sympathy with those whom Romanist and Churchman alike intended to oppress. If they also knew what was passing at the time in Scotland, they saw still more cause for religious dissenters to dread the interference of the regal power. Circumstances were widely different now from what they were when Charles the First resolved, at what proved to be the cost of his throne and his life, that his Scottish subjects should pray from a prescribed liturgy. There was then in England a vigorous Presbyterian party, and a discontented people. In England Non-conformity was now disorganized and feeble, and though there were not wanting patriotic jealousies and alarms, they were effectually discouraged from again breaking out in action, by the remembrance of the disorders which were still so recent. Scotland herself was slowly recovering from the impoverishment and imbecility to which she had been struck down by the stern government of Cromwell. Her resources were exhausted, even had her spirit been less depressed, and had her natural leaders not been won away from her interests, or rendered incapable of concerted action together, by the shifting exigencies of revolutionary politics developed through two-score years.

Condition of Non-conformists in Scotland.

By a royal decree, registered by an affrighted Scottish Parliament, Episcopacy was re-established in King Charles's northern realm in the second year after his restoration; and Sharpe, an apostate Presbyterian, was made Archbishop of St. Andrews and primate. Meetings of presbyteries were prohibited. It was required that all incumbents of parishes should be instituted anew by bishops. Three hundred and fifty ministers, more than a third of the whole number in the kingdom, refused to submit to

Re-establishment of Episcopacy in Scotland. 1662.

this exaction, and were at once deprived; and the places of many of them were supplied by men ignorant, or dissolute, or both.[1] For the most part, the people still maintained a sullen quiet as long as they were permitted to enjoy their worship in such places, with or without shelter, as they could themselves provide. But

1663. the English Conventicle Act was presently followed by a similar law for Scotland. At the solicitation of the Archbishop, a special ecclesiastical com-

1664. mission, at the head of which he was placed, was established by the King, with power to enforce laws relating to the Church. Sir James Turner, a man of cruel disposition aggravated by habitual intemperance, commanded the King's troops in Scotland, and made himself the busy instrument of the primate. He was sent with a force to the Western Lowlands, where the people were most observed to absent themselves from the churches. The new clergymen brought him lists of such as transgressed in this way, and he punished the offenders by fines, and by quartering his men in their houses.[2]

The cause of discontent was a permanent one, and disorders continued and increased. A feeble attempt at

Insurrections in Scotland. 1666. insurrection gave the government the advantage of an excuse for extreme severity. Two hun-

Nov. 15. dred insurgents attacked Turner at Dumfries, which he held with a few soldiers, and made him prisoner; but on an inspection of his orders, it appeared that the cruelties he had practised had fallen short of what his superiors had required, and he was dismissed without harm. Dalziel, an officer who had fought for King Charles the First, and had afterwards cultivated the natural ferocity of his temper by service in Russia, was despatched by Sharpe against the rebels,

[1] Burnet, History, &c., I. 196, 199, 213, 215.

[2] Ibid., 285, 288, 294, 296.

who at one time had increased in number to more than two thousand, but had now fallen off to eight or nine hundred. At Lanerick, in Clydesdale, they had held a fast day, renewed the Covenant, and issued a manifesto, setting forth the oppressions, civil and ecclesiastical, under which they suffered, and declaring their desire and purpose, as soon as these should be redressed, to show themselves the King's dutiful subjects. They had advanced to within two miles of Edinburgh, when, finding that their ranks were growing thinner every day, they resolved to retrace their steps. Dalziel followed them, and in a successful action, in which only five men were killed on his side and forty on the other, he took a hundred and thirty prisoners. These he conducted to Edinburgh, where ten were executed on one gibbet. Thirty-five others were sent home, and hanged before their own doors. The offer to spare their lives if they would renounce the Covenant had been rejected by them all.[1]

Nov. 27.

Nov. 28.

Such measures have their effect, except when circumstances admit of extensive concert in resistance to them. For a while Scotland showed the tranquillity of despair. But long passiveness emboldens to new aggressions. By a new Act of the Scottish Parliament, the King's supremacy in ecclesiastical matters was so defined as to invest him with almost unlimited control. Through a provision that his edicts, transmitted to the Privy Council, should have the force of laws, it placed his Scottish subjects at his mercy and the mercy of that unscrupulous tribunal. Nor could ulterior uses of which it was susceptible escape notice. It enabled the Duke of York, should he succeed to the throne, to proclaim Romanism the religion of his north-

The King's ecclesiastical supremacy in Scotland. 1669. Oct. 19.

[1] Burnet, History, &c., I. 327–334. Some of these prisoners were put to the torture of the boot. (Knight, Popular History of England, IV. 294.)

ern kingdom.[1] Under this renewed stimulus new disturbances followed; and to repress these, new severities. It was declared treasonable to hold meetings for wor-
1670. July 28. ship in the fields, and to officiate at such meetings was made a capital offence. Proprietors on whose lands they were held were to be punished with heavy fines, and every person present was obliged to inform against his companions, under the penalties of fine, imprisonment, or banishment to the Colonies.[2]

Such were the oppressions which afflicted Presbyterian Scotland, and by which there was no reason to doubt that Congregational New England would be equally annoyed, should that community come equally within reach of the power of the sovereign and of his bigoted or self-seeking courtiers. The Dissenters of New England, should they remain true to their convictions, must prove not less contumacious than the Dissenters of his northern kingdom. And had a creature of the Cabal ministry or of Lord Danby been made their Governor, with a sufficient military force at his back, there was no reason for them to expect exemption from the sword, the gibbet, and the thumb-screw, of which the Duke of Lauderdale had made so free use in Scotland.

The New England Colonies, however, remained undisturbed by the home government during the greater part of this period of more than ten years, though the reconstruction, from time to time, of the tribunal which had been established for conducting the colonial business of the empire showed that this department of the public interests was not wholly overlooked. After the fall
Council for Foreign Plantations. July 30. of Lord Clarendon, the Council for Foreign Plantations, which had hitherto been a numerous body,[3] was reduced so as to consist of but ten members, among whom were the Earl of Sandwich,

[1] Burnet, History, &c., I. 398. [2] Ibid., 409. [3] See above, Vol. II. p. 444.

Lord Gorges, and Edmund Waller. After a few months, an addition was made of six very eminent persons, namely, the Duke of York, Prince Rupert, the Duke of Buckingham, the Duke of Ormond, Lord Lauderdale, and Lord Culpepper, with whom was also associated the honest and accomplished, but not very sagacious, John Evelyn. In the next year, a different arrangement was made. The Council for Trade and the Council for Plantations were consolidated into a single board, with the Earl of Shaftesbury at its head. The second Dutch war now followed, and again attention was withdrawn from the Colonies. After the dissolution of the Cabal, this Colonial Council too was dissolved;[1] and by a return to the ancient practice, the business of Foreign Plantations was intrusted to a committee of the Privy Council.[2] That indecision of the court, which was both indicated and necessitated by these fluctuations, continued to the people of New England a welcome respite.

1671. April 4.

1672. Sept. 16.

1674. Dec. 21.

1675. March 12.

One step was, however, taken, under the auspices of the Cabal ministry, which was destined to affect materially the position of the Colonies. An Act was passed, imposing customs to be levied in the foreign dependencies of Great Britain, and to be collected by colonial revenue officers. For various enumerated commodities carried from the plantations, unless a sufficient bond were given to land them in

Levy of custom duties in the Colonies. 1673.

1 "It made one," says Burke, "among those showy and specious impositions which one of the experiment-making administrations of Charles the Second held out to delude the people, and to be substituted in the place of the real service which they might expect from a Parliament annually sitting." "It continued in a tottering and rickety childhood for about three or four years, ... a babe of as little hopes as ever swelled the bills of mortality in the article of convulsed or overlaid children, who have hardly stepped over the threshold of life. It was buried with little ceremony." (Speech on Economical Reform, Works, III. 325.)

2 October 24, 1672, John Locke was sworn in as Secretary of the Council for Trade and Plantations, under the Presidency of his patron. (Evelyn, Memoirs, &c., I. 459). In the year after the dissolution of the Council, Locke went to France for three or four years.

England, duties were to be paid, at the place of exportation, to local collectors appointed in England by the Commissioners of the Customs under the authority of the Lords of the Treasury.[1] We shall have occasion to see how fruitful of mischief to New England this legislation proved.

In King Charles's second war with the United Provinces, New York fell again, for a short time, into the hands of its ancient masters. Cornelius Evertsen and Jacob Binkes, in command of a fleet of twelve armed vessels, appeared before that town after making a descent upon Virginia, and landed eight hundred men. The Governor, Lovelace, was absent at New Haven at the time. The garrison was in no condition to make effectual resistance, and, after a short, and almost bloodless conflict, the place was entered by the enemy. The conquest of Fort Albany, and of most of the territory formerly comprehended within New Netherland, immediately followed.[2] The Council for Trade and Foreign Plantations proposed a plan for the recovery of the captured Province,[3] the execution of which, however, was not attempted. Under a clause in Sir William Temple's treaty of peace, stipulating mutual restitution of conquered places, the Province was restored to England. It was accordingly taken possession of by Major Edmund Andros, as lieutenant of its proprietor, the Duke of York.

Re-conquest of New York by the Dutch. July 30.

Nov. 15.

Edmund Andros Governor. 1674. November.

1 Statutes at large, 25 Charles II. cap. 7; comp. Chalmers, Annals, 317.

2 O'Callaghan, Documents, &c., III. 198–215.

3 It is interesting to learn, from this paper, a suspicion entertained by Lord Shaftesbury and his colleagues of the state of mind of the New-England people: "If the Dutch shall continue to be their neighbors, they may enter into commerce with them, whereby it is to be feared they will at present divert a great part of the trade of England into those countries, and lay a foundation for such a union hereafter between them and Holland as will be very prejudicial to all your Majesty's plantations, if not terrible to England itself." (Ibid., 211.)

CHAPTER II.

While the stirring events which have been sketched in the last chapter allowed the home government small opportunity for attention to the affairs of New England, the Colonists used the pause to shape for permanency a social system of their own. They had now found profitable applications for their industry, and convenient channels for their commerce both abroad and among themselves. A general good understanding prevailed among them, and the churches, the schools, and the College were bringing forward intelligent and virtuous citizens to possess the inheritance of the founders. The early hardships of the settlements had become historical, and the children of the emigrants were living, not in luxury, but in tranquillity and comfort.

When the Confederacy of the Four Colonies, having lasted twenty-two years, was brought to an end by the incorporation of New Haven Colony into Connecticut, there were probably in New England from forty thousand to forty-five thousand English people. Of this number twenty-five thousand may have belonged to Massachusetts; ten thousand to Connecticut, as newly constituted; five thousand to Plymouth; and three thousand to Rhode Island.[1]

Population of New England. 1665.

1 See above, Vol. II. pp. 5, 570, note 1. Calculating from various elements, I come to the above conclusion as probable. But I am not confident that I have not rated the whole population too low by as many as three or four thousand. My doubt relates to Massachusetts and Connecticut. As to Rhode Island, on the other hand, the well-informed Callender, publishing in 1739, says: "Eighty years ago, the whole number of the inhabitants was very small; perhaps there were fewer than two hundred families in the whole

They inhabited ninety towns, of which four were in Rhode Island, twelve in Plymouth, twenty-two in Connecticut, and the rest in Massachusetts. For subsistence and security they depended much upon the sea, and upon the communication which it afforded with the world that had been left; and accordingly most of

Colony." (Historical Discourse, &c., in R. I. Hist. Coll., IV. 149.)

In 1671 (June 21) the Commissioner, Cartwright, informed the Council for Foreign Plantations that, when he was in America, there were of "men able to bear arms," in "Boston and the Massachusetts Colony," 30,000; in Connecticut, 14,000; in Providence and Rhode Island, 1,000; in Plymouth, 1,000; in the "Province of Maine," 1,000; in "Kennebec," 100. (Ms. Memorandum in the State-Paper Office.) Whether this was intentional misrepresentation or only carelessness, it was absurdly wrong in all particulars.

Dr. Holmes, generally so judicious, says (Annals, I. 364): "New England is supposed to have contained at this time [1673] about 120,000 souls, of whom about 16,000 were able to bear arms. The town of Boston contained 1,500 families." And for authority he refers to an anonymous statement published by Chalmers. (Annals, 434, 435; see below, p. 303.) But as late as 1670, Boston had only two meeting-houses, small buildings, and insufficient to accommodate a population of one third part of 1,500 families, when everybody was expected to attend public worship. The Second Old South Church, built in 1730, and thought to be very spacious and magnificent (Wisner, History of the Old South Church, 27), would not seat more than 1,200 persons.

Williamson (History of Maine, I. 447) still more preposterously says: "There were in Massachusetts, New Hampshire, Maine, and Sagadahock, in 1676, 150,000." And for this he erroneously refers to "1 Hutch. Hist., p. 484." I suppose he had in his mind the extravagant statement of Randolph in Hutch. Coll., 485. So I suppose had Sir William Petty, when, before A. D. 1680, he wrote (Political Arithmetic, 75): "There are in New England 16,000 mustered in arms; about 24,000 able to bear arms; and consequently about 150,000 in all."

The cautious Trumbull errs on the other side. Reasoning from the facts that, in 1675, Connecticut had 2,250 soldiers, and that for the Indian war begun in that year she furnished 315 men out of 1,000, he concludes that the militia of the United Colonies were about 7,150 in number, and that the population, reckoned at the usual rate of five persons for every man of military age, was about 35,750. (History of Connecticut, I. 351.) But there is an important error in his calculation. Massachusetts did not send to the field a number of troops proportioned to her military population. On the contrary, she had refused to assume this obligation, and the new Articles of Confederation had determined her contribution of troops to be only in the proportion of one hundred to a contingent of sixty for Connecticut and thirty for Plymouth. (See below, p. 56.) How much less than her numerical proportion this was, we do not know; but of course it was considerably less, or she would not have so insisted on the arrangement. (Hazard, II. 524, 535.)

their settlements were on the coast. Dedham and Concord were respectively twelve miles and fifteen miles distant from it. From Providence and Warwick, thirty miles from the ocean, there was a convenient outlet by Narragansett Bay. Hadley and Northampton were the remotest frontier towns, and their communication with the external world was mostly by the channel of the Connecticut. For them, however, as well as for Springfield, there was a more direct route to Massachusetts Bay through the woods. On that way lay Brookfield, thirty miles east from the river, and Lancaster and Marlborough, about the same distance further on. The sites that were selected for these inland settlements, and for others that followed in the primitive times, were broad and fertile alluvial plains.

The account of the condition of New England which was sent home by the Royal Commissioners deserves attention, though, by reason of their imperfect means of knowledge, it cannot challenge implicit confidence even in respect to facts which they had no motive for misrepresenting. Connecticut, according to their report, had "many scattering towns, not worthy of their names, and a scholar to their minister in every town or village."[1] In Rhode Island, they said, were "the best English grass and most sheep, the ground very fruitful, ewes bringing ordinarily two lambs, corn yielding eighty for one, and in some places they had had corn twenty-six years together without manuring. In this province only they had not any places set apart

1666.

[1] Hutch. Coll., 413. Immediately after the annexation of New Haven to Connecticut (in October, 1667), the property of the people of the Colony was valued at £ 144,398 6*s.* 9*d.*, of which amount £ 17,000 belonged to Hartford, and £ 16,580 to New Haven. (Conn. Rec., II. 71.) In 1669, the number of freemen in all the towns of the Colony, except three (Middletown, Lyme, and Rye), was seven hundred and eighty-five. (Ibid., 518 – 526.) Perhaps in the three towns omitted there might have been fifty freemen more, making the freemen two fifths of the male adults.

for the worship of God; there being so many subdivided sects, they could not agree to meet together in one place, but, according to their several judgments, they sometimes associated in one house, sometimes in another."[1] In Plymouth, it was the practice to "persuade men, sometimes to compel them, to be freemen; so far were they from hindering any. . . . . They had about twelve small towns, one saw-mill for boards, one bloomary for iron, neither good river nor good harbor, nor any place of strength; they were so poor, they were not able to maintain scholars to their ministers, but were necessitated to make use of a gifted brother in some places."[2] The commodities of Massachusetts were "fish, which was sent into France, Spain, and the Straits, pipe-staves, masts, fir boards, some pitch and tar, pork, beef, horses, and corn, which they sent to Virginia, Barbadoes, &c., and took tobacco and sugar for payment, which they often sent for England. There was good store of iron made in this province."[3] In the Piscataqua towns were "excellent masts gotten, ... and upon the river above twenty saw-mills, and there were great store of pipe-staves made, and great store of good timber spoiled."[4] In Maine "there were but few towns, and those much scattered. . . . . They were rather farms than towns." In the Duke of York's province beyond the Kennebec, there were "three small plantations, the biggest of which had not above thirty houses in it, and those very mean ones too, and spread over eight miles at least. Those people, for the most part, were fishermen, and never had any government

1 Hutch. Coll., 416.

2 Ibid., 417.

3 Ibid., 422. — "The Colony about this time [1669] made a greater figure than it ever did at any other time. . . . . Their trade was as extensive as they could wish. . . . . Some of the magistrates and principal merchants grew very rich, and a spirit of industry and economy prevailed throughout the Colony." (Hutch. Hist., I. 246, 247.) "Some of their merchants are damnable rich." (Josselyn, Two Voyages, 180.)

4 Hutch. Coll., 423.

among them; most of them were such as had fled hither from other places to avoid justice."[1]

In Boston, the principal town of the country, the houses were "generally wooden, the streets crooked, with little decency and no uniformity; and there neither months, days, seasons of the year, churches, nor inns were known by their English names. At Cambridge, they had a wooden college, and in the yard a brick pile of two bayes for the Indians, where the Commissioners saw but one [Indian]. They said they had three more at school. It might be feared this College might afford as many schismatics to the Church, and the corporation as many rebels to the King, as formerly they had done, if not timely prevented."[2]

[1] Ibid., 424. — "Some here are of opinion that as many men may share in a woman as they do in a boat, and some have done so." (Ibid.) Compare a letter from Cartwright to Maverick, in O'Callaghan, Documents, &c., III. 101.

[2] Hutch. Coll., 421. — Josselyn made his second visit to Boston three years before the Commissioners came. Describing that town, he says: "The houses are for the most part raised on the sea-banks and wharfed out with great industry and cost, many of them standing upon piles, close together on each side the streets as in London, and furnished with many fair shops. Their materials are brick, stone, lime, handsomely contrived, with three meeting-houses or churches, and a town-house built upon pillars where the merchants may confer; in the chambers above they keep their monthly courts. Their streets are many and large, paved with pebble-stone, and the south side adorned with gardens and orchards. The town is rich and very populous, much frequented by strangers; here is the dwelling of their Governor. On the northwest and northeast two constant fairs are kept for daily traffic thereunto. On the south there is a small but pleasant common, where the gallants, a little before sunset, walk with their *Marmalet*-Madams, as we do in Morefields, &c., till the nine o'clock bell rings them home to their respective habitations, when presently the constables walk their rounds to see good order kept, and to take up loose people. Two miles from the town, at a place called *Muddy-River*, the inhabitants have farms to which belong rich arable grounds and meadows, where they keep their cattle in the summer, and bring them to Boston in the winter; the harbor before the town is filled with ships and other vessels for most part of the year." (Account of Two Voyages, &c., 162, 163.) — In 1664, a person sent out by Gorges to look after his interest in Maine undertook to give him information respecting the military force of "the government of Boston [Massachusetts]." "I can give," he says, "no such methodical account of their strength [that is, as of that of Maine, which he rates at

The laws recorded as having been in force at any time in a community are a permanent source of information concerning its condition and character at that time. Laws imposed upon a community by superior power have an effect to mould its character and determine its condition. Laws self-imposed also indicate the condition and character from which they have sprung.

Laws of Massachusetts. 1672.

In the sixth year after the dispute between the Royal Commissioners and Massachusetts, the General Court of that Colony caused to be published a revised collection of their "General Laws and Liberties."[1] In the same year, the Colonies of Plymouth and Connecticut (the latter then including New Haven) made similar publications of their statutes then in force.[2] It is natural to apply to these volumes for information respecting the state of the

seven hundred men]; only I have been informed by several that they are able to raise fifteen thousand men, of which number there may be about six thousand members of their church; the rest, those which they term the disaffected party, which, first of all, have no vote for any officers, either military or civil; secondly, their children are not suffered to receive the sacrament of baptism; thirdly, they make a general complaint as if the laws were more favorably interpreted for a member of the church than for those that are not so." (Ms. Letter, in the State-Paper Office.) Such statements indicate not only the ignorance of the writer, but, what is more important to be observed, the ignorance which in England could receive them as having any probability.

1 This was no new code, but a mere collection of the laws previously enacted from time to time, and remaining unrepealed. At the Court of Elections in 1670, it was observed that "there was a great want of law-books for the use of several courts and inhabitants, ... and very few of them that were extant or complete, containing all laws now in force"; and Major Lusher (an Assistant) and five Deputies were instructed "to peruse all the laws now in force, to collect and draw up any literal errors, or misplacing of words or sentences therein, or any liberties infringed, and to make a convenient table for the ready finding of all things therein." (Mass. Rec., IV. (ii.) 453.) In October of the same year they presented their report. (Ibid., 467.) In May, 1671, three Assistants and two Deputies were ordered to oversee the printing of an edition. (Ibid., 488. See above, Vol. I. 442, II. 260, 261, 393, note 2.)

2 See above, Vol. I. 340, 535, 546, II. 235, 369, 376; Conn. Rec., II. 190, 214, 567; Brigham, Compact, &c., ix. Plymouth had never printed its laws till now.

Colonies at the time succeeding the dissolution of the Confederacy.[1]

In Massachusetts, the form of the central government had remained essentially the same from the time of the separation of the legislative power into two branches.[2] Freemen[3] now voted in the elections of Magistrates, either at the capital in person or by proxy, or personally in their respective towns. A list of those from among whom Assistants were to be chosen was prepared, two months before the election, by a nomination made by the freemen voting at their several places of abode; and the law ordained that, "for the yearly choosing of Assistants, the freemen should use Indian corn and beans, the Indian corn to manifest election, the beans contrary."[4] A Magistrate or Deputy, absenting himself from a General Court during the first four days of its session, incurred a fine of a hundred pounds.[5] "No person who was an usual and common attorney in any inferior court" could "be admitted to sit as a Deputy in the General Court"; and "no man, although a freeman," was to "be accepted as a Deputy that was unsound in judgment concerning the main points of Christian religion as they have been

General Court.

1 I hoped to find frequent hints in the Election Sermons from which to draw inferences on this important subject. But in that expectation I have been greatly disappointed. That so little is to be gathered from them in respect to passing political events is what I was still less prepared to learn. Whoever would pursue the inquiry in that quarter will be aided by the list of preachers of the Election Sermons, appended to Dr. Pierce's Election Sermon in 1849 (p. 56), and by the list of preachers before the Ancient and Honorable Artillery Company in Whitman's History of the Company (p. 141). I think the ministers' freedom of speech on these occasions was restrained by the consideration that their sermons would go to England, and be there taken as expressing the sentiments of the people, which might prove inconvenient.

2 See above, Vol. I. p. 617.

3 Counting the lists of persons admitted to the franchise in Massachusetts, and making what I judge to be a reasonable allowance for persons deceased, I come to the conclusion that the number of freemen in Massachusetts in 1670 may have been between 1,000 and 1,200, or one freeman for every four or five adult males.

4 General Laws, &c., 47.

5 Ibid., 35.

held forth and acknowledged by the generality of the Protestant orthodox writers, or that was scandalous in his conversation, or that was unfaithful to this government."[1] The form of the enacting clause, "It is ordered by this Court and the authority thereof," indicated a pretension to sovereignty.[2]

Courts of justice.

The original plan of the courts of justice had undergone little alteration. County (or "Inferior") Courts might now "administer the oath of freedom to any person admitted by the General Court."[3] They were visitors of charitable trusts.[4] In respect to highways, they had powers similar to those now vested in County Commissioners,[5] and they licensed victuallers and inn-keepers.[6] "By reason of the concourse of people and increase of trade in the town of Boston," a new court had been there constituted, consisting of seven resident freemen nominated by the town and approved by the Court of Assistants. Any five of these seven, or any three of them with one Magistrate, might decide questions to which an inhabitant of Boston was a party, and which did not involve a sum exceeding

1 General Laws, &c., 41.

2 "The code of Massachusetts, published in 1672, when the cloud of fanaticism had passed away, contains not the most distant allusion to the laws of England." So wrote George Chalmers in 1780, in a long unpublished treatise in the form of a letter to Lord Mansfield, of which my friend Mr. Sparks has a copy. Chalmers, prejudiced and unjust as he was, had been a very careful student of the history of the American Colonies.

The publication of the code gave rise to a pertinacious dispute between the two branches of the General Court as to the mode of its judicial action. In the year 1652, a law had been passed, to the effect that when the Magistrates should differ from the Deputies on a question of legal adjudication, the final decision should be made by a majority of the whole court sitting together, and not, as in matters of legislation, by concurrent action. (Mass. Coll. Rec., III. 266.) This law the Magistrates now proposed to repeal. But the Deputies positively refused, and the other party had at last to yield. The dispute was kept up with no little warmth for a year and a half. See Mass. Archives, XLVIII. 111–116, 120–123, 134.

3 General Laws, &c., 56.

4 Ibid., 9.

5 Ibid., 64, 65.

6 Ibid., 79.

ten pounds. In criminal cases this court had the power of a single Magistrate, and might impose fines to the amount of forty shillings.[1] The charges of persons concerned in the administration of justice, as well as of government, were defrayed by the public.[2]

Before the meeting of a court, its clerk sent "warrants to the constables of the several towns within its jurisdiction for jurymen proportionable to the inhabitants of each town," and the inhabitants held an election to provide the required number. Petit-jurors served for a single term, and were paid at the rate of four shillings a day. Grand-jurors served a year, and received three shillings daily while on duty. It was allowable for juries to advise with any person in open court, and to render special verdicts.[3]

Judicial processes.

In order to conviction of a capital crime, "the testimony of two or three witnesses, or that which was equivalent thereunto," was requisite, and the witnesses must appear in court. In other cases, their depositions might be taken, but not if they lived within ten miles of the place of trial. The General Court alone had "power to pardon a condemned malefactor."[4] Torture was forbidden, except in one case. A person convicted of a capital offence, in which he must have had accomplices, might be tortured to obtain a disclosure of them, "yet not with such tortures as were barbarous and inhuman."[5] It is not known that this law was ever executed. Indictments "for the breach of any penal law, or any other misdemeanor," were not valid unless framed within a year from the time of the offence; but this provision did not extend to the higher crimes.[6] If a person indicted for a capital crime, but still at large, did not surrender himself within

1 Ibid., 21, 22.
2 Ibid., 22.
3 Ibid., 86, 87.
4 Ibid., 35.
5 Ibid., 129.
6 Ibid., 79.

a month after the last of three proclamations made a month apart, his property was then sequestered till he should appear.[1] "No man's person could be arrested for any debt or fine, if the law could find any competent means of satisfaction otherwise from his estate"; and "no man's person might be kept in prison for debt, but when there was an appearance of some estate which he would not produce."[2] Claims for "book debts" were not valid after three years.[3] Attachments of property were to be served at least six days before the meeting of the court which was to try the issue. Foreigners taking out attachments were required to bind themselves, with sufficient securities, to prosecute and to pay costs.[4] If a plaintiff asked advice of any magistrate who was to try his case, he lost his right of action, and paid costs to the defendant; the defendant, for the same offence, forfeited ten shillings to the other party.[5]

Executors of wills were required to have the wills recorded within thirty days after the death of the testator, under penalty of assuming his debts and paying five pounds for every month of delay. When there was no will, estates were administered by persons appointed by the county courts, which also nominated substitutes for executors who declined to serve. To the widow of an intestate, in addition to her use for life of one third of his real property,[6] the county court assigned "such a part of his estate as they judged

Inheritances.

[1] General Laws, &c., 16. — In 1652, the crime of arson of any "dwelling-house, meeting-house, or store-house," or of any out-house or stack, contiguous to such buildings, and causing them to be burned (Ibid., 52) was added to the list of capital offences; and in 1669, that of carnal knowledge of a female child under ten years old (Ibid., 15).

[2] Ibid., 6. In default of property to satisfy a claim, a debtor was bound to "satisfy by service, if the creditor required it, but not to be *sold* to any but of the English nation."

[3] Ibid., 39.

[4] Ibid., 7.

[5] Ibid., 34.

[6] Ibid., 42.

just and equal." Of the residue, "the eldest son had a double portion, and, where there were no sons, the daughters inherited as copartners, unless the court, upon just cause alleged, should otherwise determine."[1]

Offences and penalties.

Burglars and highway robbers were punished for the first offence by being branded on the forehead with the letter B; for a second offence, they were branded again, and "severely whipped." If the crime was committed on the Sabbath, the loss of an ear was added to each of these penalties. A third transgression of the same kind was a capital crime.[2] The killing of a person attempting to commit murder, burglary, or highway robbery, unless circumstances admitted of his apprehension for trial, was justifiable homicide.[3] Robbing orchards and gardens, and stealing household articles from enclosures, or "wood or other goods from the water-side, from men's doors or yards," led to a forfeiture of "treble damage to the owners thereof"; and where the offender had nothing to satisfy, the magistrate might punish by the stocks or by whipping. Other thefts were punished by scourging, fines, or "legal admonitions, at the discretion of the court."[4] Whoever, "being of the age of sixteen years and upwards," should "wittingly and willingly set on fire any barn, stable, mill, out-house, stack of wood, corn, or hay, or any other thing of like nature, upon due conviction by testimony or confession," was sentenced to "pay double damages to the party damnified, and be severely whipped"; and if the fire was set to "any dwelling-house, meeting-house, or store-house," or to anything which caused the burning of such buildings, the capital punishment of the offender was followed by an indemnity out of his estate to the party injured.[5] The forger's doom

1 Ibid., 157, 158.
2 Ibid., 12, 13.
3 Ibid., 92.
4 Ibid., 13.
5 Ibid., 52.

was to "stand in the pillory three several lecture-days, and render double damages to the party wronged, and also be disabled to give any evidence or verdict to any court or magistrate."[1] The burial-place of the suicide was in the common highway, with "a cart-load of stones laid upon the grave, as a brand of infamy."[2] The profane swearer, in whose offence was included not only irreverence towards God, but "wicked cursing of any person or creature," forfeited ten shillings for a single oath; if he swore "more oaths than one at a time, before he removed out of the room or company where he so sware," it was at the cost of twenty shillings;[3] and if the fine were not paid, he was set in the stocks. Idlers, among whom were especially reckoned "common coasters, unprofitable fowlers, and tobacco-takers,"[4] exposed themselves to committal to the house of correction. It was punishable by a fine of five shillings to dance, or "use the game of shuffle-board, or bowling, or any other play or game, in or about" a house of public entertainment; or to "play or game for any money or money-worth"; or to play at all "either at cards or at dice"; or to "observe any such day as Christmas or the like"; and the bringing or keeping of cards or dice within the jurisdiction subjected the offender to a fine of five pounds.[5]

The punishment of assaults was left to the discretion of judges.[6] To gallop a horse in a street of Boston was to incur a penalty of three shillings and four pence.[7] The fabrication or publication of "any lie, pernicious to the public weal, or tending to the damage or injury

1 General Laws, &c., 54.
2 Ibid., 137.
3 Ibid., 144, 145.
4 Ibid., 66.
5 Ibid., 57, 58.
6 Ibid., 11.
7 Ibid., 57. The selectmen of Boston having exerted their power in vain to abate this nuisance, the Colony interposed with a special law, and experience has justified the continuance of the provision down to the present day.

of any particular person, or with intent to deceive the people with false news and reports," subjected the culprit to fines, confinement in the stocks, and scourging, increased in severity according to the aggravation and repetitions of the offence. And this proceeding did not bar a further action for slander.[1] "Chirurgeons, midwives, and physicians" were forbidden, "upon such severe punishment as the nature of the fact might deserve," to "exercise or put forth any act contrary to the known approved rules of art, in each mystery and occupation."[2]

The legislation aimed against intemperance was copious. Venders of "wine, ale, beer, or strong waters by retail," or of wine "by a less quantity than a quarter-cask," were required to have a license from the county court, founded on a recommendation of the selectmen of their town. The quality and price of malt liquor were prescribed. Inn-keepers were forbidden to "suffer any to be drunk, or to drink excessively; viz. above half a pint of wine for one person at a time, or to continue tippling above the space of half an hour, or at unseasonable times, or after nine of the clock at night." A person "found drunken, so as to be thereby bereaved or disabled in the use of his understanding, appearing in his speech or gesture," had to pay ten shillings, or be imprisoned till payment was made, or "be set in the stocks one hour or more, in some open place, as the weather would permit, not exceeding three hours."[3] Tobacco might not, except under a penalty of half a crown, be taken "in any inn or common victual house, except in a private room there, so as neither the master of the said house, nor any guest there, should take offence thereat."[4]

1 Ibid., 91, 92.
2 Ibid., 28.
3 Ibid., 78–85.
4 Ibid., 146. — In the year after the publication of the code, "the evil practice of sundry persons by exorbitancy

An attempt "to draw away the affection of any maid, under pretence of marriage, before obtaining liberty and allowance from her parents or governors, or, in absence of such, of the nearest magistrate," was punished by a forfeiture of five pounds. For a repetition of the attempt, the culprit was fined ten pounds, and compelled to enter into a recognizance for better behavior. If still unreclaimed, he was, on conviction by the county court, committed to prison, to remain there "until the Court of Assistants should see cause to release him." No person whose wife or husband continued to live abroad was allowed to have a home in Massachusetts. "No man might strike his wife, nor any woman her husband, on penalty of such fine, not exceeding ten pounds for one offence, or such corporal punishment, as the county court should determine." Marriage was still contracted, not before ministers, but before persons appointed to that office by the General Court. A widower could not marry the sister of his deceased wife.[1]

Militia.

In pursuance of the policy of keeping the military power of the Colony under the complete control of the central government, the appointing of commissioned officers of every rank was now vested in the General Court, and the commissioned officers of companies named their subordinates.[2] The mounted troops had a sort of aristocratic character. No trooper was enlisted "but such who themselves, or parents under whose government they were, paid in a single country rate for one hundred pounds' estate."[3] Pikemen, who

of the tongue in railing and scolding" attracted the attention of the Court, and a law was passed condemning the offender in that kind to "be gagged or set in a ducking-stool and dipped over head and ears three times in some convenient place of fresh or salt water, as the court or magistrate should judge meet." (Mass. Rec., IV. (ii.) 513, 514.)

1 General Laws, &c., 101, 102.

2 Ibid., 116.

3 Ibid., 114.

still composed a third part of every foot company,[1] wore defensive armor consisting of "a sufficient corselet, buff coat, or quilted coat, such as was allowed by the chief officer under whose command they served from time to time."[2]

The reader of the statute-book would have cause for surprise, if he did not find himself constantly reminded that the law-makers and their constituents belonged to the close body of communicants in churches. To legislators so circumstanced, the good order of the churches, the relations of the churches to the commonwealth, the encouragement of the clergy, and the suppression of irreligious practices among the people, would present themselves as eminently fit subjects of legislation. The spirit, and for the most part the letter of the laws upon these subjects, continued to be the same as they had been at the last revision of the code.[3] So strict was the care taken to secure universal attendance upon public worship, that, even on the occurrence of "week-day lectures," innkeepers and victuallers, "within one mile of the meeting-house to which they belonged," had to "clear their houses of all persons able to go to meeting, during the time of the exercise, except for some extraordinary cause."[4] Violations of the Sabbath were made penal under various specifications. It was declared to be profaned "by children playing in the streets; ..... by youths, maids, and other persons, both strangers and others, uncivilly walking in the streets and fields, travelling from town to town, going on shipboard, frequenting common houses and other places to drink, sport, or otherwise to misspend their precious time." Travelling out of one's own town "upon the Lord's day, either on horseback or on foot, or by boats, to any unlawful assembly or meet-

Religious observances.

1 Ibid., 108.
2 Ibid., 115.
3 See Vol. II. 394, 395, note.
4 General Laws, &c., 83.

ing," was legally held to be "servile work," and accordingly a desecration of holy time.[1]

Revenue system.

The public charges continued to be met by a revenue chiefly derived from direct taxes upon property. Real estate, and stock in trade, were assessed according to an estimate of the value made by town magistrates. Cattle, sheep, goats, and swine were taxed according to a permanent legal valuation of each description of such property. Artisans and mechanics contributed to the public expenses in proportion to the estimated gains of their business. There was a capitation-tax of one shilling and eight pence for each male person "from sixteen years old and upwards." Assessments were made in the autumn of each year; but selectmen might in any month collect taxes from transient "merchant strangers" on property brought by them into the country. Ministers of religion were "freed from all rates for the country, county, and church," so far as concerned "such estate as was their own proper estates, and under their own custody and improvement."[2] Taverners paid a duty for the wine which they sold, at the rate of "fifty shillings by the butt or pipe, and proportionably for all other vessels"; and for the retail of "strong waters," at the rate of "two pence upon every quart."[3] Imported goods of all descriptions, "excepting fish, sheep's wool, cotton wool, salt," and a few others, had to pay an *ad valorem* duty of five *per centum* on a valuation determined by adding five *per centum* to the cost of the article at the place of exportation.[4]

Regulations for shipping and mariners.

The extent of the commercial prosperity which had grown up is indicated by the extent and minuteness of the system of maritime law. This carefully defined the duties of seafaring men, whether officers, seamen, or pilots; the rights of passen-

[1] General Laws, &c., 132–134.
[2] Ibid., 22–26.
[3] Ibid., 82, 83.
[4] Ibid., 69–73

gers by sea; the relations existing among joint owners of shipping; the rules for adjusting damages and losses from mismanagement and from marine disasters.[1] The rates of wharfage for different commodities were exactly prescribed.[2] There were surveyors of shipping, whose duty it was to watch the construction of every vessel measuring more than thirty tons; to "see that the work was performed and carried on according to the rules of the art"; and to "cause any bad timbers, or other insufficient work or materials, to be taken out and amended at the charge of them through whose default it grew."[3] Some arrangements were still in force which had been made on the return of the messengers, Norton and Bradstreet, from England,[4] avowedly to carry into effect the provisions of the Navigation Act. Three persons had been appointed — one for the ports of Boston and Charlestown, one for Salem, Marblehead, and Gloucester, and the third for "the river of Piscataqua and Isle of Shoals, and parts adjacent" — to receive such bonds as were required by the Act, and make seizures for breaches of its provisions;[5] but it is certain that this duty was not willingly or strictly performed. Ships paid a tonnage duty for the support of forts. The harbor police was not neglected. "No masters of ships, or seamen, having their vessels riding within any of the harbors in the jurisdiction, might presume to drink healths, or suffer any healths to be drunk, within their vessels, by day or night, or to shoot off any gun after the daylight was past, or on the Sabbath-day."[6] Sailors might not injure harbors by taking in ballast "from any town shore," or "by discharging it in the channel or other place inconvenient."[7]

To keep up in foreign markets the reputation of arti-

1 Ibid., 93–100.
2 Ibid., 156.
3 Ibid., 138, 139.
4 See Vol. II. 526, 530.
5 General Laws, &c., 139; comp. Vol. II. 261.
6 General Laws, &c., 140.
7 Ibid., 9.

cles of export, a public inspection was maintained. The law defined what qualities of dried fish should be considered as merchantable, and "viewers" were appointed "at every fishing-place within the jurisdiction," whose judgment was binding upon the buyers and sellers of that commodity.[1] Coopers were required to put their "brand-mark" on their casks, and were punished by forfeiture and fine if they "put to sale any new cask, being defective either in workmanship, timber, or assizes." The measurements and quality of different kinds of staves were precisely specified, and in every town where casks were made a "gauger or packer" was appointed to see to the quality of the casks, and of the "liquor, beef, pork, fish," and other articles packed in them, and certify by his seal that they were fit for the market.[2]

Inspection laws.

Besides the inspection laws there were various regulations both of foreign commerce and of domestic industry. There was a strict prohibition of the exportation, by sea or land, of money coined in Massachusetts, beyond the amount of twenty shillings for necessary expenses. Violations of this law were punished by "confiscation, not only of such money so coined, but also of all the visible estate of him that should any way be found sending or exporting any of the coin," and searchers were appointed at the several ports with extraordinary powers of inquisition for the offence.[3] Powder also might not be exported.[4] Imported salt had to pass under the eye of a qualified measurer.[5] The law required such "hides or skins as either by casualty or slaughter came to hand" to be carefully dried, and sent to a tanner. The attempt to ship any raw hide or unwrought leather was punished by a for-

Prohibitions and regulations of trade.

1 General Laws, &c., 52, 53.
2 Ibid., 16, 17.
3 Ibid., 118, 119.
4 Ibid., 126.
5 Ibid., 134, 135.

feiture of the property, and a fine equal to its value was imposed on any shipmaster who received it.[1] A butcher, currier, or shoemaker might not at the same time be a tanner, nor might a tanner exercise any one of their trades; and there were other strict provisions for securing a good quality of leather.[2] The manner of washing and shearing sheep was prescribed,[3] and the season for digging "tile earth to make sale-ware."[4]

"The bringing in of wheat, barley, biscuit, beef, meal, and flour, which were the principal commodities of the country, from foreign parts," being "found by experience to be exceedingly prejudicial to the subsistence of the place and people," all importation of those articles was forbidden, "under the penalty of confiscation of the same."[5] There were regulations for fishermen relating to the seasons when they might take "mackerel, codfish, hake, haddock, or pollock," and to other details of their business.[6] For bakers the weight of the penny white loaf was determined by a sliding scale arranged with reference to the price of wheat. Bakers had to stamp their bread, and it was subject to the inspection of clerks of the market, who exercised their office "in every market town, and all other towns needful."[7] "No person whatsoever might undertake the calling or work of brewing beer for sale, but only such as were known to have sufficient skill in the art or mystery of a brewer." Maltsters were answerable for the quality of their manufacture,[8] and a purchaser of beer might recover damages if it proved "unfit, unwholesome, and useless, either through the insufficiency of the malt, or brewing, or unwholesome cask."[9] Wood was sold according to a prescribed measurement.[10] "No miller might take above

1 Ibid., 63, 64.
2 Ibid., 88–90.
3 Ibid., 138.
4 Ibid., 146.
5 Ibid., 106.
6 Ibid., 52–54.
7 Ibid., 8, 9.
8 Ibid., 106.
9 Ibid., 10, 11; comp. 80.
10 Ibid., 160.

one sixteenth part of the corn he ground."[1] In time of harvest, "artificers and handicraftsmen," for reasonable wages, might be compelled by the constables "to work by the day for their neighbors in mowing, reaping of corn, and inning thereof."[2] The towns of Boston and Charlestown had power to appoint porters, and fix their wages.[3] There was as yet no post-office arrangement, except that a person had been appointed to receive and transmit letters "which were brought from beyond the seas, or were to be sent thither."[4] A true English instinct showed itself in some arrangements for securing a good breed of horses.[5] Ferrymen had a monopoly of their business, and were subjected to exact rules as to duties and fees.[6]

1 General Laws, &c., 106.

2 Ibid., 161.

3 Ibid., 124.

4 Mass. Rec., I. 281.

5 General Laws, &c., 65, 66. — A curious law on this subject was passed in 1668 (Mass. Rec., IV. (ii.) 367): "Whereas the breed of horses in this country is utterly spoiled, whereby that useful creature will become a burden, which otherwise might be beneficial, and the occasion thereof is conceived to be through the smallness and badness of stone horses and colts that run in commons and woods, ... be it ordered and enacted . . . . . that no stone horse above two years old shall be suffered to go in commons and woods at liberty, unless he be of comely proportion and sufficient stature, not less than fourteen hands high, reckoning four inches to a handful, and such a horse to be viewed and allowed by the major part of the selectmen of the town where the owner lives." The owner who should violate this law was to be punished by a fine of twenty shillings, and the selectmen were subjected to the same penalty for a neglect of their duty in the premises. The ratable value of full-grown horses for taxation was at the same time reduced from ten pounds to five pounds. (Ibid.) It was still further reduced nine years later. (Ibid., V. 138.) Connecticut was not inattentive to the importance of keeping up a good breed of horses. (Conn. Rec., II. 244.)

In 1667, John Hull, the Mint-master, with Mr. Brenton and Benedict Arnold of Rhode Island, and others, owned land in the neighborhood of Point Judith; and Hull proposed to his partners to enclose Point Judith Neck for the purpose of raising horses, so that no mongrel breed could get among them. They hoped thus to obtain good animals, "some for coach horses, some for the saddle, some for the draught," and in a few years to have a stock for transportation.

This proposal seems to have been acted upon; and Mr. Jennison, in his memoir of Hull (Archæologia Americana, III. p. 128), suggests that it is probable that the arrangement produced the "Narragansett pacers," so celebrated in Dean Berkeley's time.

6 General Laws, &c., 50.

The towns held in common a considerable part, even of their cultivated land, and this circumstance called for precise regulations for the raising, the security, and the division of the crops. Each town had a "distinct brand-mark" for its cattle, to identify them in claims for damages. Private proprietors were bound to keep their fences in a condition satisfactory to the town fence-viewers. Stray cattle and goods lost were to be cared for and restored to their owner, at his cost, including remuneration for the trouble that had been taken.[1] Every town had "a sufficient pound,"[2] where cattle, sheep, goats, and swine, trespassing on enclosures, were shut up till claimed by their owner, who then became liable for damages.[3] Boston, Salem, Watertown, and Dorchester held each two fairs annually, one in the spring, the other in the autumn; and the days for the weekly markets at Boston, Charlestown, Lynn, and Salem were designated, so as to prevent their interference with one another.[4] A premium was paid out of the public treasury for the killing of wolves.[5]

Municipal and police regulations.

The constables in each town were captains of the night-watch, which was kept from the beginning of May till the end of September, and they were charged "to see all noises in the streets stilled, and lights put out," and to "examine all night-walkers after ten of the clock at night (unless they were known peaceable inhabitants), to inquire whither they were going, and what their business was."[6] Highways and bridges belonged to towns or to the Colony. In the former case towns, in the latter, counties (under the direction of the county courts), were bound to keep them in repair, and were liable to pay heavy fines or double damages for any

1 Ibid., 142.
2 Ibid., 124.
3 Ibid., 17–20, 145, 146.
4 Ibid., 49.
5 Ibid., 159, 160.
6 Ibid., 154, 155.

accident occasioned by their insufficiency.[1] Towns ordered and disposed all single persons and inmates within their territory to service or otherwise, subject to an appeal to the county court.[2] They elected constables, jurors, selectmen, and surveyors of the highways, who were compelled to serve under a penalty of twenty shillings for each refusal.[3] They maintained schools, and the fine for a neglect of this duty was now doubled.[4] With the approval of two Magistrates or of the county court, they withdrew "rude, stubborn, and unruly" children and servants from incompetent parents and masters, and apprenticed them, for their minority, to suitable guardians.[5] They prohibited the resort to inns and alehouses of persons whom they judged unfit.[6] Under the penalty of fines for neglect, they enforced the attention of their inhabitants to certain branches of industry, as the spinning of woollen, cotton, and linen thread,[7] and the "propagating and increasing of salt-

1 General Laws, &c., 12.

2 Ibid., 141, 148. By a law passed as early as 1637 (Mass. Rec., I. 196; comp. General Laws, 143, 144), towns and persons were made liable to a heavy fine for entertaining strangers, or allowing them to remain, more than three weeks without a license; and even the entertainment of friends from other parts of the country was restricted to a limited time. This law, though passed to meet a supposed danger of the time (see above, Vol. I. p. 482), was continued in effect to a late period; and it was made the duty of the constable of each town to inform the Court of Assistants of "new-comers."

There were reasons assigned for these regulations, such as the influx of unruly and dangerous foreigners into the seaports, and the liability of shiftless persons to become chargeable to the towns; but evidently there were other motives which could not well be stated in the preamble of a law. The preservation of religious and social harmony was an object of great importance in the new settlements. The town records contain frequent indications of the importance attached to these provisions. For instance, an application for leave to employ a journeyman is denied; and permission is refused to receive a visit from a relative, the applications being recorded, and disposed of by the adjudication "*Disallowed.*" Grown-up children were not permitted to remain at home in idleness, without some security for their good behavior.

3 Ibid., 55.

4 Ibid., 136, 137; comp. Vol. II. p. 263.

5 Ibid., 26.

6 Ibid., 85.

7 Ibid., 141.

petre."[1] They had the custody of standard weights and measures, and appointed measurers of corn, wood, and boards, without whose certificate a contract for those articles was void.[2] Questions between towns respecting their liability for the support of paupers were determined by the county court.[3]

The system of laws in Connecticut indicates a social order substantially the same as that which existed at the same time in Massachusetts. The main difference between the codes of the two Colonies is, that the provisions in the code of Massachusetts are the more elaborate and minute, agreeably to the greater amount of population and business, and the consequent greater complexity of social relations in that jurisdiction. To a considerable extent, even the language is the same in both.[4] Laws of Connecticut.

In Connecticut, to be capable of the franchise, it was necessary that a person should be twenty-one years of age, own real estate to the amount of twenty pounds, and be recommended to the General Court by the selectmen of his town as of "honest, peaceable, and civil conversation." His nomination then lay over to be acted upon at the next General Court. A freeman might for sufficient cause be disfranchised by the Court of Assistants.[5] The election of Magistrates was conducted in the same manner as in Massachusetts, except that the General Court, annually held in the autumn, nominated the persons to whom in the next spring the choice of the freemen was to be restricted.[6] No qualification was required in a Deputy General Court.

1 Ibid., 135.

2 Ibid., 155, 156.

3 Ibid., 35.

4 Both Codes were printed in Cambridge, by Samuel Green. The Code of Massachusetts covers 170 pages in folio, that of Connecticut, 71; the type and the page being of the same size in the two volumes.

5 Book of the General Laws of the People within the Jurisdiction of Connecticut, &c., (1673,) 26.

6 Ibid., 22, 23.

except that he should be "orderly chosen by the freemen of that plantation for whom he served," and that he should swear to conduct himself "faithfully and truly according to the duty of his place." A Deputy forfeited his pay by absenting himself, "without leave from the General Court, before the Court was issued."[1] General Courts were always held at Hartford. To constitute them, the presence of the Governor or Deputy-Governor, and at least six Assistants, was requisite. They assembled regularly in May and October of each year, and as much oftener as, "upon any special and emergent occasion, the Governor or Deputy-Governor, with the advice of one or more of the Assistants," should convoke them.

Inferior Courts.

The rule for meetings of Courts of Assistants was the same. County Courts, constituted of "three Assistants, and, where there were not so many Assistants, one Assistant and two Commissioners at least," also sat semiannually in each county. The counties were now four in number, named *Hartford*, *New Haven*, *New London*, and *Fairfield*, after their respective capitals.[2] In the courts of Assistants and the county courts, cases were "heard and determined by a jury of twelve men, or otherwise according to law." To the jurisdiction of Courts of Assistants belonged "all trials for life, limb, banishment, and divorce," and the trial of appeals from the county courts. Before the last-named tribunals came "all causes, civil and criminal, not extending to life, limb, or banishment."[3]

[1] General Laws of Connecticut, 20.

[2] Ibid., 18; comp. 16. The counties were constituted in May, 1666, immediately after the annexation of New Haven. (Conn. Rec., II. 34, 35.) Their comparative population in 1673 may be inferred from the fact that, in a levy of soldiers in that year, Hartford County was called upon for one hundred and sixty men; New Haven County and Fairfield County each for a hundred and twenty; and New London for a hundred. (Conn. Rec., II 205.)

[3] General Laws of Connecticut, 17, 18.

For the trial of crimes punishable with death or banishment, special juries were impanelled, and a unanimous agreement was requisite to a verdict of guilt. Cases in the county courts involving sums less than forty shillings were tried by the bench alone. If more than that sum was at stake, a jury found "the matter of fact, with the damages and costs, according to law and their evidence." If the court was dissatisfied with a verdict, the jury might be sent out again; and if still they persisted, the court might dismiss them, and order another trial.[1] Except "in crimes capital, and contempt in open court, or in such cases where some express law allowed it," no person could be imprisoned till he had opportunity to offer bail.[2] Witnesses had to appear in court, if they lived in the county where the case was tried; and in order to make a deposition valid, it was necessary that the deponent should be not under sixteen years of age.[3] As in Massachusetts, the General Court alone could grant pardons, but the Governor, or Deputy-Governor, with the consent of three Assistants, might reprieve.[4]

Judicial processes.

The criminal code of Connecticut, in respect to capital offences, was almost verbally the same as that of Massachusetts.[5] So were the laws relating to the offences of burglary, robbery of orchards and other enclosures,[6] forgery,[7] lying,[8] gambling,[9]

Criminal law and general policy.

1 Ibid., 37.
2 Ibid., 32.
3 Ibid., 69.
4 Ibid., 27.
5 The differences were, that in Connecticut the law against blasphemy embraced fewer specifications, and that incest, not placed among capital offences in Massachusetts, was added to the list. Also, in Massachusetts, a condemned felon might make a will. But in Connecticut, his estate, "after the charges of prosecution and imprisonment were answered," was "left to the court to be disposed of according to rules of righteousness and equity." (Ibid., 2.) As in Massachusetts, "torture" (by which appears to have been meant *whipping*) might be used, but not to force a man to "confess any crime against himself." (Ibid., 65.)
6 Ibid., 7, 8.
7 Ibid., 25.
8 Ibid., 40.
9 Ibid., 26.

idleness,[1] drunkenness,[2] profane swearing, and profanation of the Sabbath.[3] So was the general system of military service,[4] of inspection laws,[5] of police laws,[6] and of regulations of houses of entertainment,[7] of weights and measures,[8] and, in general, of industry and trade.[9] The twenty-seven sections of the long chapter respecting "maritime affairs,"[10] and the section respecting "Rates,"[11] or the colonial revenue, are copied with little alteration from the Massachusetts code. The system of imposts and excise duties on specified articles was also the same in the two Colonies; though the rates differed largely, the amount thus raised in Connecticut being materially lower.[12] There also the capitation tax varied, like other taxes, with the total amounts levied from time to time, each person being estimated for that purpose as representing eighteen pounds.[13] The Massachusetts system of common schools had been immediately adopted in Connecticut, with the slight modification of requiring the schools where young men were prepared for college to be maintained in every county town, instead of every town with a hundred householders.[14] Connecticut had now no laws prohibiting extravagance in dress, or the exportation of powder or of money. The legal rate of interest was six *per centum*,[15] while in Massachusetts it was eight.[16]

1 General Laws of Connecticut, 31.
2 Ibid., 21, 35.
3 Ibid., 58.
4 Ibid., 49–51.
5 Ibid., 10, 56.
6 Ibid., 10, 24, 38, 56, 64, 65. A proprietor could not "make sale of his accommodations of house or lands to any but the inhabitants of the town wherein the said house and land was situate, without the consent of the town, or unless he had first propounded the sale thereof to the town where it was situate, and they refused the sale tendered, or to give so much as another chapman would." (Ibid., 30.)
7 Ibid., 34.
8 Ibid., 48.
9 Ibid., 5, 10, 14, 24, 25, 28, 29, 38, 51, 57, 64, 65, 68, 69.
10 Ibid., 5, 20, 29, 30, 38, 42–46, 48, 51, 65, 68.
11 Ibid., 59–61.
12 Ibid., 31, 59.
13 Ibid., 31, 39, 59.
14 Ibid., 62, 63.
15 Ibid., 68.
16 General Laws of Mass., 153.

The laws relating to marriage were borrowed from Massachusetts.[1] In the division of the property of deceased persons, marriage settlements were regarded. If none had been made, a widow was entitled to the use, during her life, of one third of her husband's real estate, "the remainder of the estate to be disposed of according to the will of the deceased, or, in defect thereof, according to the distribution the court should make thereof."[2] Marriage and inheritances.

Towns might make by-laws "not repugnant to the laws and orders of the Colony," and enforce them by "penalties not exceeding twenty shillings for one offence." The selectmen of a town might not be more than seven in number. They had "full power to order and dispose of all single persons and inmates within their towns, who lived an idle or riotous life, to service or otherwise." Any inhabitant of a town, refusing or neglecting to accept a town office, was punished by a fine of forty shillings.[3] The law defining the liability of towns and counties in respect to highways and bridges was but a transcript from the law of Massachusetts.[4] Towns.

The ecclesiastical system, so far as the law controlled it, was also the same, though in Connecticut there was a more express declaration that dissenters from the Congregational order, provided they were "orthodox and sound in the fundamentals of Christian religion," might "have allowance in their persuasion and profession in church ways or assemblies without disturbance."[5] Ecclesiastical system.

An examination of the laws of Plymouth brings further to light the substantial uniformity of the social system of the confederate Colonies of New Eng- Laws of Plymouth

1 General Laws of Connecticut, 47.
2 Ibid., 21.
3 Ibid., 65, 66.
4 Ibid., 7.
5 Ibid., 21, 52.

land.[1] Even the language of those laws, as of the laws of Connecticut, is in great part borrowed from the code of Massachusetts, and for the same reasons that caused the code of Connecticut to be more compendious than that of Massachusetts, the laws of Plymouth run less into detail than those of either of the other Colonies.

In Plymouth, the Magistrates and Deputies still continued to sit and deliberate as one body. At the annual General Court of Election, "the Deputies, selectmen, grand-jurymen, constables, and supervisors of the highways," nominated by the towns, were "presented to be established in their respective places";[2] — a kind of supervision by the whole community over its constituent parts which we do not find to have been practised in either of the other Colonies. As in Massachusetts and Connecticut, freemen in Plymouth might vote for Magistrates by proxy. A freeman who neglected to vote was liable to a fine of ten shillings.[3] None could be candidates for citizenship but "such as were one and twenty years of age at the least, and had the testimony of their neighbors that they were of sober and peaceable conversation, orthodox in the fundamentals of religion, and such as had also twenty pounds' ratable estate at least in the government." And a nomination for the franchise had to precede admission by a full year, "unless it were some person

General Court.

[1] The Plymouth code has an advantage over the two others in point of arrangement. In these the several articles are disposed in alphabetical order, without regard to the connection of subjects. Thus "Barratry" comes next to "Ballast," and "Burglary" next to "Bridges." In the Plymouth law-book, they are digested in fifteen chapters, in a certain logical combination and sequence. Thus the first Chapter is taken up with "General Fundamentals," or a Bill of Rights; the second contains the "Capital Laws"; the third relates to Criminal Law; the fourth to Actions; and so on. The Plymouth code is less than half as long as that of Connecticut.

[2] Book of the General Laws of the Inhabitants of the Jurisdiction of New Plymouth, &c., in Brigham, Compact, with the Charter and Laws, &c., 257.

[3] Ibid., 257, 258.

that was generally known and approved, or of whom the Court might make present improvement."[1]

Courts of Assistants sat in the town of Plymouth at least three times a year, "to hear, examine, and determine all capital, criminal, and civil causes according to law, and to receive and try all appeals."[2] There was as yet no division into counties, and of course no county court; nor was there any intermediate authority between the court of Assistants and the court of selectmen, which latter tribunal adjudged in each town "all causes wherein either party was an inhabitant of their town, and the debt, trespass, or damage did not exceed forty shillings."[3] The rules as to competent evidence,[4] as to indictments,[5] as to attachments and all forms of judicial proceeding,[6] were similar to those in force in the other jurisdictions. "All trials, whether capital, criminal, or between man and man," were "tried by jury of twelve good and lawful men, according to the commendable custom of England, except the party or parties concerned referred it to the bench, or some express law referred it to their judgment and trial, or the trial of some other court where jury was not; in which case the party aggrieved might appeal, and have a trial by jury."[7] It was the right of a litigating party "to improve one or two attorneys, provided they were persons of good repute, and such as the court should approve"; but such attorneys were "required, as to be faithful to their client, so also to avoid fraudulent pleas that might have a tendency to mislead the court, or darken the case."[8]

Inferior courts.

In Plymouth, the burning of a dwelling-house or of a "vessel of considerable value" was a capital offence, or to be "otherwise grievously punished,

Offences.

1 Brigham, Compact, &c., 258.
2 Ibid., 259.
3 Ibid., 260.
4 Ibid., 242.
5 Ibid., 262.
6 Ibid., 253–255.
7 Ibid., 242.
8 Ibid., 255.

as the case and circumstances of it might require."[1] Traitors under sentence of death might dispose of their lands by will, but forfeited "to the King or Colony their personal estate."[2] Adulterers, whose crime was capital in Massachusetts, were scourged in Plymouth, as in Connecticut, besides having to "wear two capital letters, A D, cut out in cloth, and sewed on their uppermost garments, on their arm or back." Burglars were for a first offence branded on one hand; for a second, were "branded on the other hand, and severely whipped"; and for a third, were "put to death, or otherwise grievously punished." When the crime was aggravated by a commission of it on the Lord's day, the brand was "to be set on the forehead."[3] The forger of any evidence of property, or of "any writing to prevent equity or justice," had to "pay the party grieved double damages, and be fined himself so much to the country's use; and if he could not pay, to be publicly whipped, and burned in the face with a Roman F."[4] Intemperance, licentiousness, gambling, idleness, theft, neglect of public worship, profane swearing, Sabbath-breaking, heresy, blasphemy, removing of landmarks, and other offences, were, with circumstantial variations, treated in Plymouth as in the larger Colonies; but with somewhat less restriction on the judgment of the magistrate as to the kind and measure of punishment to be inflicted.[5] A fine of two shillings was imposed on "any person or persons found smoking of tobacco on the Lord's day, going to or coming from the meetings, within two miles of the meeting-house."[6]

Revenue.

The public charges were defrayed from the avails of direct taxes, levied "according to each man's personal abilities, faculties, and estates, both per-

[1] Brigham, Compact, &c., 245.
[2] Ibid., 242.
[3] Ibid., 245, 246.
[4] Ibid., 249.
[5] Ibid., 243–252, 271, 287.
[6] Ibid., 252.

sonal and real";[1] a system of excise and other duties, which had formerly been in operation, being now discontinued.[2] A premium was however exacted for the privilege of taking bass and herrings with nets on the coast of Cape Cod; and an order was passed, "that the profit arising to the Colony" from this source should "be employed and improved for the erecting and maintaining of a free school,"[3] — the only provision as yet made for general education in the Colony. The business of fishing was controlled by minute regulations.[4] When a town did not afford a proper maintenance to its minister, the Magistrates might tax it for that purpose.[5] In the choice of town officers, those only were qualified to vote who were "freemen of the Corporation, or freeholders of twenty pounds' ratable estate, orthodox in the fundamentals of religion, of good conversation, and having taken the oath of fidelity."[6] In respect to roads, fences, cattle, strays, inspections, licenses, inheritances, the care of the poor, the inspection of articles of export, the toll of millers and ferrymen, and other matters of detail, there is nothing material to distinguish the customs of Plymouth.[7]

Spirit of the laws.

Undoubtedly such systems of law as those of which specimens have been given justify inferences favorable both to the character and to the condition of the community which framed them, and in which they were in force. They show a stable form of society, and a uniform development of policies conceived with enlightened forethought, and pursued with confident and steady determination. They signify that the community regulated by them was honest, industrious, frugal, orderly, and thriving; that occupations were various;

1 Brigham, Compact, &c., 268.
2 Ibid., 85, 91, 132, 133, 135, 136, 143, 161.
3 Ibid., 284. This order dates no further back than the year 1673.
4 Ibid., 282–284.
5 Ibid., 269.
6 Ibid., 258.
7 Ibid., 273–276, 291.

that the remuneration of labor and the security of property were sedulously, and, on the whole, intelligently cared for; and that knowledge, morals, and religion were recognized as objects of the most intimate public concern. The laws are such as presuppose on the part of the people a habit of respect for law, and a capacity for joint and for individual self-government. In their general character they suggest that, agreeably to the practice of English legislation in all times, they were dictated by necessities and occasions, and not by theories. Compared with other systems of the same period, they are on the whole humane; but on the other hand, as to methods and penalties, they have an exhaustive minuteness which expresses an absolute purpose not to be defied or evaded. The men who framed these laws had comprehensive notions of the rights and the obligations of a government. The opinion that the world is governed too much was by no means theirs. Their ideal was rather an authority residing indeed in the citizens collectively, but responsible for and vigorously controlling the individual citizen. Charged with the protection of the people, the law-maker meant to hold them back with a tenacious and a strong hand from harming themselves, and to compel them to keep their ranks for mutual defence. He had no scruples about demanding personal service or pecuniary sacrifice to any extent that the public well-being required. He intended to be just and beneficent, but at the same time, and for that purpose, he claimed universal, precise, and prompt obedience. And if such a government was absolute, still it was free; for it was the people's government over themselves, and no pains were spared to give to each citizen his due weight in the common administration. The men of Charlestown had no privileges beyond those of the other towns of Massachusetts, when they pronounced them

selves "the most happy people that they knew of in the world."[1]

In contemplating the state of things in New England at the time to which these remarks relate, the influences of its recent settlement should not be overlooked. It must be admitted that the transfer of a community by colonization is a hazardous step, in respect not only to superficial advantages, but even to sentiments and habits which afford security for social order.[2]

Dangers of an emigrant people.

The emigrant to a new country, while he dooms his immediate posterity to formidable hardships, exposes them to degenerate from himself in culture of mind, manners, and temper. His first business must be to make a home, and provide the means of subsistence; to take precautions against a strange climate and unfamiliar neighbors; to arrange with his companions the terms on which they are to live together, keeping the peace among themselves and lending mutual protection. By the time his attention has been relieved from such immediately pressing cares, his children have grown up to manhood, and new actors are stepping upon the stage. In respect to the stronger qualities of character, the men born upon the soil, who are to succeed to the conduct of affairs as the first settlers die or grow old, will not be found the worse for their early familiarity with trouble and danger; but in the refinements of life it cannot be expected that they will excel, and it will be to their credit if they are orderly and peaceable; still more so, if they prove to have ac-

1 Petition of the freemen of Charlestown (1668), in Mass. Arch., LXVII. 57.

2 "Emigration, or a new settlement of the social state, involves a tendency to social decline. There must, in every such case, be a relapse towards barbarism, more or less protracted, more or less complete. Commonly, nothing but extraordinary efforts in behalf of education and religion will suffice to prevent a fatal lapse of social order." — Bushnell, Barbarism the First Danger, 4, 5.

quired sufficient knowledge for practical occasions. For during their forming years schools and colleges, if ever so promptly undertaken, can at best have been only in the process of organization; every hand has been liable to be in demand for its share of hard daily work; nor are the discomforts of a straitened and harassed life favorable to the amenities of social intercourse, or even without effect to generate that selfishness which is its bane. The presence of historical objects, and that habitual contact with transmitted thoughts and feelings which local associations keep alive, provide a stimulating education for the mind, which it cannot forego without some disadvantage. The consummate flowers and fruits of a high civilization seem to require to be nurtured by roots that for a long time have been penetrating into a native soil.

Accordingly it would not have been matter of surprise if the New-Englander of the first indigenous generation had proved to be a rude, coarse, unlettered, unmannered, sensual, turbulent person. It might have been supposed, not unreasonably, that a retrograde step had been taken in the direction of barbarism, and that the next ascent would have to be made from a lower level.

These dangers understood and counteracted in New England.

Such an inference would, however, derive little justification from what we know of the men who managed the affairs of New England during the reign of King Charles the Second. A large majority of those men, and of the freemen who supported them, and of the non-freemen who lived quietly and thankfully under their government, were of American birth. But their English predecessors had meditated maturely on the conditions of respectable and happy living, and of the decline and decay of states. In the busy and imperilled infancy of their commonwealth, they had never lost sight of the importance of preventing civility and learning from being buried in the graves

of the fathers; a meeting-house for worship went up as often as a parcel of wild land was cleared; a College and schools were among the necessities for which they earliest made provision; and they took care to instruct their children at their homes in virtue, letters, and manners, while school-houses were getting ready to receive them.[1]

Their wise forecast proved adequate to the occasion in an admirable degree. It would be unsafe to argue from any documents of the time, or from any other evidence that touches the question, that the half-century which followed the immigration of Winthrop's company witnessed a sensible degeneracy under the unpropitious influence of the new circumstances of life. At no earlier time was government in New England more quietly or prosperously administered, than in the first twenty years that followed the restoration of the British monarchy. And as the laws of that period are the monument of a capacity for prudent legislation, so even in the luxury

[1] Massachusetts had had a printing-press almost from the first. (See above, Vol. II. p. 45.) In 1674, another was set up in Boston by John Foster, a graduate of Harvard College in 1667. (Thomas, History of Printing, I. 275.) Within the period treated in this volume, there were in Boston as many as thirteen persons, though probably not all at the same time, who dealt in the publication and the sale of books, as either the whole or part of their business. (Ibid., II. 409–415.) Hezekiah Usher was one of them. His more distinguished son, John, was another. The eccentric John Dunton says of John Usher: "This trader makes the best figure in Boston; he is very rich; adventures much to sea; but has got his estate by bookselling." (Life and Errors of John Dunton, 127.) Booksellers do not make fortunes out of an illiterate people. Samuel Phillips, another of the Boston booksellers, with whom Dunton in 1685 dealt for "some hundred pounds," was "very thriving." (Ibid.) When Dunton came to Boston, it was to collect no less a sum than five hundred pounds due to him there for books. He made at the same time a shipment to that port of books valued at five hundred pounds, and the vessel in which he was passenger brought another venture in the same commodity, also to a large amount, which he does not specify. He sold a portion of them at Boston in seven or eight months, and found a market for the rest at Salem. (Ibid., 101, 113, 172, 182.) Dunton was a writer as well as vender of books, and got the reward of his labors in the former line by being transfixed on the end of a verse in the Dunciad (Book II. line 144).

of learning there was no token of decay. The works of Mitchell, Oakes, and many other early pupils of Harvard College, are in our hands, and we find them not unworthy to be compared, for rich and scholarly rhetoric, with the writings of Chauncy, who came from a Professor's chair at Cambridge, or of Cotton, the light of the first Protestant foundation at that University.[1] The Puritan Dean of Christ Church, the universally learned Owen, felt such assurance of finding congenial society in New England, that he would have emigrated but for the consideration of duties which seemed to require him at home.[2]

Nor should it be forgotten that the circumstances of an emigrant community favored in a peculiar manner the diffusion of knowledge and civility from the highest through the inferior social ranks. The common necessities and mutual dependence which presented themselves in a new settlement brought the different orders of society into an acquaintance with each other, of which the better influence could scarcely be impaired

1 A hundred and fifty young men were educated at Harvard College before the Confederacy of the Four Colonies was dissolved. — I will venture to mention here an indication of one custom of the times. In the Catalogue of the graduates of Harvard College, there occur no such odd baptismal names as were in fashion in England in the time of the Commonwealth. Scriptural names, however, were largely in use. Of 337 graduates in the first fifty years, all but 55 bore names of that description. Of these 55 names, *William* occurred 11 times; *Edmund*, 6; *George*, 5; *Henry*, *Richard*, and *Edward*, each 4; *Robert*, 3; *Urian*, twice (father and son); *Ronald*, *Leonard*, *Francis*, *Charles*, and *Christopher*, each once. Fancy names (occurring once each) were *Comfort*, *Seaborn*, *Increase*, *Reward*, and *Hope*. Surnames used as baptismal names (each once) were *Cotton*, *Grindall*, *Percival*, *Gurdon*, *Warham*, and *Addington*. *Brocklebank Samuel* Coffin (so late as 1718) was the earliest graduate who placed a double baptismal name upon the Catalogue, (*Ammi-Ruhamah* (1670) being, as I view it, only one name); and the next instance, *Robert Eliot* Gerrish, occurs twelve years later. At Yale College in Connecticut, *Stephen John* Chester took his bachelor's degree in 1721, and *Ichabod Wolcott* Chauncy in 1723.

2 See below, p. 81; comp. Hutch. Hist., I. 207; Mass. Rec., IV. (ii.) 98. Neal says (History of the Puritans, IV. 524) that, when "determined to settle in New England," Owen "was stopped by express order from the Council."

by the influence proceeding from the less profitable quarter. Fruitful elements of improvement were imparted to the mass of the people when husbandmen, artisans, and laborers became, under the new conditions of their life, the associates of courtiers and scholars. If the habits of conduct inculcated by the approved systems of law and religion were ascetic, the character so formed was at all events strong and manly. If the disesteem of frivolous pursuits was carried to extravagance, and the spirit of society was not genial, enervating vices were rebuked, and a strict standard of public morality was maintained.[1]

Among the causes that had maintained and extended the similarity of the Colonies to one another in institutions and manners, not the least considerable was the league which connected them in a political union. After the Confederacy was dissolved by the absorption of New Haven into Connecticut, an attempt to renew it between the three existing governments had little spirit and little effect; yet the movement was one of too much interest to be passed over.

Attempt to revive the Confederacy.

Independently of other considerations, the course of Connecticut in relation to New Haven had given serious offence to the two older Colonies, as being, in their view, a violation of her engagements as a party to the league. That desire to unite in preparation for resistance to encroachment from England, which had been a large element in the original confederation, had been cooled by recent occurrences. All the Colonies had now formally acknowledged the King; and the different tempers in which this had been done in Connecticut and in Massachusetts forbade the hope that for

1 According to the preamble of a law of 1647, "sundry gentlemen of quality and others ofttimes sent their children into this country, unto some friends here, hoping, at the least, thereby to prevent their extravagant and riotous courses," &c. (Mass. Rec., II. 217.) Such, in England, was the good repute of Massachusetts.

the present they could act together with zeal in respect to questions of politics. Connecticut had received great favors from the King, for which she seemed not ungrateful, while the attitude of Massachusetts towards the parent country was never more than now one of jealousy and apprehension, if it should not rather be said that she regarded the existing English government with a stern hostility, which only considerations of prudence enabled her to suppress.[1]

When the artifice of Lord Clarendon, promoted by the amiable facility of the Governor of Connecticut, and by the misdirected energy of her Secretary, had emasculated New England as a political power, still there existed a strong mutual good-will among the Colonies, and a disposition to restore the old Union so far as altered circumstances would allow. It has been related,[2] that when, agreeably to the arrangement which had been made at the last meeting of the Federal Commissioners,[3] they came together again at Hartford after the expiration of three years, the representatives of Plymouth and Massachusetts brought authority only to "act about the Indian affairs of the Corporation, and to agitate and treat of any propositions that should be made for the renewing or entering into a new confederation." The result of their consultations on this matter they were to report to their respective governments.[4]

Meeting of the Commissioners. 1667. Sept. 5.

In the letter which, two years before this time, the Governor of Plymouth, in behalf of his Colony, had addressed to the General Court of Massachusetts concerning the proposal for a continued union, he said, "We find not our reason seated

Objections of Plymouth to a new confederation. 1665. June 21.

1 See O'Callaghan, Documents, &c., III. 40, 89, 99, 102, 136.

2 See Vol. II. p. 631.

3 Ibid., p. 594.

4 Records, &c., in Hazard, II. 501, 502. By "the Corporation" is meant the Society for Propagating the Gospel.

in sufficient light to continue confederation with three Colonies, as we did with four." And he specified three objections to the measure. 1. It was an article of the former confederation that "no two of the Colonies should become one, except with consent of the rest"; but the union of New Haven with Connecticut had been compulsory as to herself, was not consented to by Plymouth, and was not known to be approved by Massachusetts. 2. "Matters of peace and war, and other concerns of the Colonies, had been looked upon as matters of such concernment as required at least six of the ablest, discreetest, and most experienced gentlemen of the four Colonies to determine"; the public business had not decreased in importance; nor was there so much more intelligence now than formerly, that four Commissioners — the number now proposed to constitute a decisive majority — could supply the place of six. 3. It was scarcely to be expected that a decision of a question by four votes would prove to be controlling, when experience had shown that the expressed will of a larger number was liable to be disregarded. "The truth is," concluded the Governor of Plymouth, "we are the meanest and weakest, least able to stand of ourselves, and little able to contribute any helpfulness to others; and we know it, though none should tell us of it; yet, through God's goodness, we have not hitherto given you much trouble, and hope it shall be our study and endeavors, as we are able, to be serviceable to our countrymen, brethren, and fellow-subjects; and doubt not to find the like from yourselves, if need be."[1]

It did not appear that Connecticut had had any action upon the subject, nor was any statement produced, on the part of that Colony, of the conditions of the incorporation of New Haven into it. The complaint of

[1] Records, &c., in Hazard, II. 502, 503; comp. 504.

Plymouth respecting slights which had been put upon the authority of the Federal Congress probably referred to the refusal of Massachusetts to be bound by that decree which called on her to engage in a war with the Dutch and Indians.[1] But the Commissioners of Plymouth and Massachusetts now proceeded to point out instances in which Connecticut also had been contumacious. They probably hoped to assuage the irritation of that Colony, and conciliate her to the proposed union, by showing that of the insubordination which had offended her there had not been wanting instances on her own part. They disavowed any purpose "of disrespect or imposition on their brethren of Connecticut, whose happiness, peace, and welfare they could not but seek as their own." "We have no other end," they said, "but that, by an emendation of those things that have so great an appearance of an uncomfortable breach between us, the former tranquillity, which hitherto, through the favor of God, hath been held and enjoyed by and between these Colonies, may be continued and increased, to the honor of God, the establishment of his kingdom among us, and the good of our posterity from generation to generation."

Proposal of an amended scheme.

Accordingly, they again invited the attention of Connecticut to the proposals made for a new confederation three years before; and it was agreed to suggest four amendments for the consideration of the several General Courts. One provided that out of five meetings of Commissioners two should be held at Boston, two at Hartford, and one at Plymouth. Another stipulated for the return of "vagabond or wandering persons" to the Colony and town of their legal habitancy. A third related to the calling of Synods "indifferently out of all the United Colonies by an

[1] See above, Vol. II. p. 325.

orderly agreement of the several General Courts," as often as questions should arise "of common concernment, whether in the matters of faith or order"; and it added a recommendation "to the several jurisdictions, that some special provision be made for the more comfortable and settled maintenance of an able ministry in every plantation." The fourth amendment was intended to dispose of that controversy of earlier times, which had occasioned so much trouble. It was, "that the power of determining of an offensive war, properly so called, so as to engage the Colonies therein, shall be in the several General Courts, and not in the Commissioners, without special instructions given them by their respective General Courts." Before the Commissioners separated, they transacted some business of the Society for Propagating the Gospel. Leete and Wyllys, on the part of Connecticut, presented a defence of the alleged unjust proceedings of that Colony, and signified their own readiness to promote measures "for the best security of the religious rights and civil enjoyments" of "brethren in so remote a corner of the wilderness."[1]

As the end of another term of three years approached, the question respecting a reformed Confederacy was revived. Commissioners appointed for the purpose by the three Colonies met at Boston, and agreed upon a frame of Articles for a new compact.[2] There was little departure, even in phraseology, from the old scheme of confederation, except such as was necessary to accommodate it to the diminished number of the contracting parties, and except in what related to the authority to declare war. In the preamble, the ancient reference to "those

Agreement in relation to it. 1670. June 2.

1 Records, &c., in Hazard, II. 503–511.

2 Ibid., 511–516; Mass. Rec., IV. (ii.) 471; Conn. Rec., II. 122, 143; Plym. Rec., V. 17. The Commissioners were, for Massachusetts, Governor Bellingham, Thomas Danforth, and John Leverett; for Plymouth, Josiah Winslow; and for Connecticut, Samuel Wyllys and John Talcott.

sad distractions in England" was now omitted, and a consideration of the distance of that country was substituted in its place. In the second Article, that war-making power of the Commissioners which had proved such a root of bitterness was restricted by a provision, that the "determination of an offensive war, properly so called, so as to engage the Colonies therein, should be in the several General Courts."[1] The question whether five Commissioners, or only four, out of the whole number of six, should be competent to settle a question, was left for the present undetermined. Meetings were to be held only once in three years, one meeting out of five to be at Plymouth, the other four to be equally divided between Boston and Hartford. In the new draft, there was a transposition which brought the fourth and fifth Articles of the original compact into a later place in the series,[2] but without affecting their import. Three Articles were added. One of them related to the arrangement, recently proposed by the Commissioners, "for the settling of vagabonds and wandering persons." Another provided "that, if any of the confederates should hereafter break any of these present Articles, or be any other way injurious to any of the confederate jurisdictions, such breach of agreement or injury should be duly considered and ordered by the Commissioners for the other jurisdictions, that both peace and the present confederation might be preserved without violation. The last Article, to save the honor of the old Confederacy, declared that the junction of New Haven with Connecticut "should be always interpreted as by their own concession, and not otherwise."[3]

When this amended plan was presented to the Gen-

[1] Records, &c., in Hazard, II. 522; Mass. Rec., IV. (ii.) 427.

[2] They were now made to stand respectively as the ninth and twelfth.

[3] For the original draft of the new Articles, see Hazard, II. 511; for the same as amended by Massachusetts, see ibid., 516; and for the same as finally adopted, see ibid., 521.

eral Courts of the three Colonies, Connecticut adopted it without exception,[1] nor does any qualification of it appear to have been desired by Plymouth. Massachusetts was not satisfied. When her General Court took the business into consideration, they proposed two material emendations. By the seventh Article, the Commissioners were authorized to "endeavor to frame and establish agreements and orders in general cases of a civil nature"; the Court preferred to reduce this power to that of "consulting of and proposing to the several General Courts, to be by them allowed and established, such orders in general cases." In settling the proportion of supplies of men and money for war, the ninth Article retained the old rule of a levy on the several Colonies according to the number of their men of military age; the Court desired that the rule for such a distribution of the public burdens might be a subject for future consultation, and that in the mean time a rule should prevail which had been adopted for sudden emergencies, and which would be much less onerous to Massachusetts. The Court declared its opinion that the consent of five Commissioners should be requisite for a decisive vote.[2]

Oct. 13.

Oct. 11.

The proposal of Massachusetts in respect to the apportionment of military burdens was rejected by Connecticut, and cannot be supposed to have been any more acceptable to Plymouth. The subject of a confederation had lost much of the interest that formerly invested it, and the negotiation does not seem to have been renewed till more than a year had passed. Then, at a meeting, held at Plymouth, of Commissioners from the three Colonies, the only point in dispute was ad-

1 Conn. Rec., II. 143.

2 Mass. Rec., IV. (ii.) 476. Comp. Secretary Allyn's letter of Oct. 12th, 1671, in answer to a letter of June 6th from the Magistrates of Massachusetts, in Mass. Archives, II. 187.

justed by an agreement that thenceforward, for fifteen years, troops and money should be contributed, for any war, in the proportion of a hundred for Massachusetts, sixty for Connecticut, and thirty for Plymouth; and, this material question being disposed of, the old Confederacy was faintly reproduced.[1] The Commissioners proceeded to hold one of their prescribed triennial meetings. But it had none of the importance of the meetings of earlier times. Little was done besides the auditing of an account of money disbursed for the Society for Propagating the Gospel, the receiving of reports from the Society's missionaries, and the despatching of a letter to the Mohegan Uncas, "to encourage him to attend on the ministry."[2]

Confederation of the three Colonies.

1672. Sept. 5.

1673. Aug. 21. A year later a special meeting of Commissioners was held at Hartford, having been summoned by the Magistrates of Connecticut in their alarm on account of the recent capture of New York by the Dutch.[3] The Connecticut Magistrates had written to the Dutch commanders, asking information respecting their further designs, and had received an unsatisfactory reply. The Commissioners declared that they should "at all times account the damage or spoil that should be done to any one member of the confederate jurisdiction as done to the whole," and resolved to recommend to their several governments, "that sufficient orders be given, and all due and effectual care be forthwith taken, for provision of all manner of ammunition, men, and means of defence." They

Aug. 27.

[1] Mass. Rec., IV. (ii.) 477–483; Records, &c., in Hazard, II. 521–526; Plym. Rec., V. 99. — May 31st, 1672, Bradstreet and Danforth met John Allyn and Wait Winthrop, who had come to Boston to represent Connecticut, and it was agreed among them to present this Article to the three General Courts for their adoption. (Winslow MSS. in the library of the Mass. Hist. Soc. The original instrument of ratification is in the same volume.)

[2] Records, &c., in Hazard, II. 528.

[3] See above, p. 34.

transacted no other business, except to advise Connecticut to reclaim an Indian culprit from Ninigret, who harbored him, and to propose to the confederate governments a trifling amendment of the Article relating to "vagabonds and wandering persons."[1] The perished Confederacy of the Four Colonies had a substitute, but not a successor.

[1] "Extracts [published by Mr. J. Hammond Trumbull] from the Records of the United Colonies, comprising such Portions of the Records as are not published in the Second Volume of Hazard's State Papers. From the Original Manuscripts in the Secretary's Office at Hartford," pp. 18–21. — Mr. Trumbull has also published this very valuable supplement to the Records of the Commissioners in an Appendix to the third volume of the Colonial Records of Connecticut.

CHAPTER III.

The contents of the last chapter reveal something of the condition of the virtuous and orderly people of New England in the years that immediately succeeded the abortive attempt of Lord Clarendon to reduce them to a strict subjection to the King. The course of contemporaneous affairs in Great Britain during the same period, must have often arrested the anxious attention of New England patriots. They saw the parent country governed by a succession of politicians, bigoted, or profligate, or both. They watched the struggles between a monarch inclined to Popery and a Parliament of fanatical Protestant churchmen, well knowing that to them the rival parties were equally hostile; and they witnessed persecutions of non-conformists in England and Scotland, which they could not doubt would be equally extended to themselves at the earliest moment when power and opportunity should concur.

Yet their thoughts were not engrossed by dangers threatening from abroad. It is striking to observe, through all periods of their history, how much it has been the habit of the people of New England to divide their attention between great practical matters of state, and disputes upon questions which at a later period may appear essentially barren of excitement. The reader may remember that, at the time when the quarrel with Lord Clarendon's commission was going on, the Colonies of Massachusetts and Connecticut were agitated by a controversy respecting the proper sub-

jects of baptism.[1] It had by no means come to an end at the time when the political independence of New Haven was overthrown. New Haven had taken no part in the measures resorted to for an adjustment of the question. Under her rigid constitutions, the plan of admitting to baptism any others than communicants and their children had no considerable advocates.

John Davenport, pastor of the first church in New Haven, was the chief framer of the ecclesiastical system which was there maintained. He had also, from the beginning, been second to none among the citizens of the Colony in his attachment to its integrity and independence. Both as a patriot and as a sectary, he was distressed by the union which had taken place, as by the disappointment of hopes and plans cherished above all others through thirty years of thoughtful and busy life. New Haven, almost his creation, — the object so long of his solicitude, his devotion, his pride, — ceased to be attractive to him. It was rather the monument of a great defeat and sorrow.[2]

Removal of Davenport from New Haven to Boston.

In the dispute about baptism, the First Church in Boston, under the lead of Wilson and Norton, its pastor and teacher, had taken part with the reformers. But Norton died before the catastrophe of New Haven, and his aged colleague survived him only four years.[3] The question as to a successor to the vacant place was one of unsurpassed interest to

1667. Aug. 7.

1 See Vol. II. pp. 486 – 492.

2 "My zeal for preserving Christ's interest in your parts (though in New Haven Colony it is miserably lost)," &c. Letter of Davenport to Leverett, in Hutch. Coll. 395.

3 "Very few," writes Morton in his Memorial (Davis's edit., 327), "ever went out of the world so generally beloved and reverenced as this good man. He was a good man indeed, and full of the Holy Ghost. He lived to a good old age, and was full of days and full of honor, being in the seventy-ninth year of his age, when the Lord took him to himself." Yet his influence had for many years been by no means what it once was. Nor did it ever equal that of his successive distinguished colleagues.

all the churches. Owen, now dismissed from his office of Dean of Christ Church at Oxford and Vice-Chancellor of the University, was invited to emigrate, and seriously entertained the proposal. But in consideration of the probability that he might be useful in the crisis which was then passing in his own country, he determined to remain there. The man who, on the whole, stood pre-eminent in New England for clerical graces was the dissatisfied pastor of New Haven. The influence of his reputation proved sufficient to surmount the objection of his being the champion of opinions opposite to those entertained by the widowed church; and with an affectionate enthusiasm he was invited to remove to Boston, and assume the highest clerical position in the Colonies. His own mind was made up, but his ancient congregation was averse to parting with him. A correspondence ensued, and the majority of the Boston church were charged by the dissentients with the disingenuousness of withholding some declarations, on the part of the New Haven people, of their unwillingness to lose their pastor. This unwillingness, expressed in terms of generous affection to him and free from all acrimony towards their rivals, was so far overcome, that an amicable separation was effected, and Davenport, now seventy years old, was installed in Boston, and entered on a new career.[1]

1668. Dec. 9.

A numerous minority of the Boston church, however,

[1] "2d, 3d [May, 1668]. At three or four in the afternoon, came Mr. John Davenport to town, with his wife, son, and son's family, and were met by many of the town. A great shower of extraordinary drops of rain fell as they entered the town; but Mr. Davenport and his wife were sheltered in a coach of Mr. Searl's, who went to meet them." (Diary of John Hull, in Archæol. Amer., III. 226.) — Mr. John Allen was associated with Davenport as Teacher. (Emerson, History of the First Church, 110.)

Davenport had been invited to preach the Election Sermon before the General Court of Connecticut in May, 1666. I have a letter of his to Governor Winthrop (April 10th), declining that service. It is altogether courteous, but indicates his wounded feelings.

could not be won by their respect for his character to acquiescence in the views entertained by him respecting a question, which, though religious in its first aspect, was not without an important political relation. Twenty-nine men, several of whom were persons of consequence,[1] resolved to secede and form another congregation. The project had to encounter opposition, in which the Governor (Bellingham), who fully sympathized with Davenport, was active. The discontented party applied to the First Church for a dismission, which was refused. They then convoked an ecclesiastical council, which advised them to proceed, recognized them as a distinct church, and censured the First Church for opposing their design. The controversy which had occupied the Synod was revived with new warmth, exciting afresh the whole Colony.[2] The Governor convoked the Magistrates,

Establishment of a Third Church in Boston.

1669. July 6.

[1] For their names and respective positions, see Wisner, History of the Old South Church in Boston, &c., 76. Eighteen of the twenty-nine are recorded with the honorary prefix of *Mr.* The name of Mr. John Hull, the mint-master (see Vol. II. p. 403), stands third on the list. We learn from him (Diary, &c., in Archæol. Amer., III. 229) that, "12th, 3d [May 12th, 1669], the Third Church in Boston gathered or coalesced in Charltown [where Mr. Thacher, whom they intended to make their pastor, lived]. Six Magistrates opposed it, — R. B. [Richard Bellingham], S. S. [Samuel Symonds], W. H. [William Hathorne], J. L. [John Leverett], E. L. [Eleazer Lusher], E. T. [Edward Tyng]. Eight Magistrates encouraged it; and no ministers opposed, but encouraged, except J. A., J. D., [James Allen and John Davenport, ministers of the First Church,] and S. M. [uncertain.]"

Hull went to England in the autumn of 1669, and carried authority to engage a minister to be colleague with Mr. Thacher in the new church, together with a letter to "the ministers and brethren" of English churches, soliciting their assistance for him in this important business.

[2] "The whole people of God throughout the Colony were too much distinguished into such as favored the Old Church, and such as favored the New Church, wherefore the former were against the Synod, and the latter were for it." (Mather, Magnalia, &c., V. 83.) John Eliot found himself able to spare time from his parochial and missionary labors to take a part in the controversy. In 1665 he printed for private circulation a few copies of a treatise entitled "Communion of Churches, or the Divine Management of Gospel Churches by the Ordinance of Councils constituted in Order, according to the Scriptures, which may be a means of uniting those two Holy

and informed them that he "feared a sudden tumult, some persons attempting to set up an edifice for public worship, which was apprehended by authority to be detrimental to the public peace."[1] The Magistrates, however, of whom a majority did not agree with him on the main question, saw no occasion to interfere,

1670. Feb. 16. and the seceders went on to install a minister of the Third Church of Boston.[2] Till within

and Eminent Parties, the Presbyterian and the Congregational." (Mather, Magnalia, &c., III. 189, 190.) A copy reached Richard Baxter, who inquired about it of the Reverend John Woodbridge of Killingworth in Connecticut. "You desired in your letter to me," Woodbridge replied, "some information how Mr. Eliot's book about Councils takes. Truly, sir, I think it better took with himself than with any of his brethren. Not because of his pride. I suppose you know him better, — but the peculiar cut of his genius. While some were smiling at it, others whispering about it, the book, as I understand, was called in again, and now none of them seem walking abroad." But Baxter was of a different mind from his correspondent. In an answer to Woodbridge, he expressed his approbation of synods as a means of ecclesiastical union, and added: "Wherefore I am sorry that Mr. Eliot's propositions took no better with you. . . . . I am much of his opinion of making councils to be for counsel and concord of the churches, and not for direct and proper regiment over the particular pastors." (Baxter MSS. in Dr. Williams's library, Red Cross Street, London.)

The party that prevailed in the Synods of 1657 and 1661 commanded Baxter's sympathy, for it was understood to lean to Presbytery. "This year [1667] there was a Synod called at Hartford to discuss some points concerning Baptism and Church Discipline, ... the Congregational party, which was the greatest, violently opposing the Presbyterian." (Journal of the Reverend Simon Bradstreet, in the New England Historical and Genealogical Register, IX. 44.) "Mr. Haynes [of Hartford] and those with him being looked upon as Presbyterians." (Ibid., 45.)

[1] Mass. Arch. X. 226; comp. 9.

[2] It was also early called the *South Church*, and since the erection, in 1717, of the New South Church in Summer Street, has been commonly known as the *Old South*. The widow of John Norton gave the land on which the building was erected, with the house, belonging to her, which had been built and occupied by Governor Winthrop. The house, with its end to what is now Washington Street, stood opposite to the foot of School Street, and the lot extended to Milk Street.

At the time of the breach in the First Church, Davenport preached the Election Sermon at the Court for Elections next after his removal to Boston. It led to the following singular proceeding: —

"The Magistrates, understanding a purpose of our brethren the Deputies to present their thankfulness in a solemn manner to Mr. Davenport for his sermon at the Election, conceive the same to be altogether unseasonable, many passages in the said sermon being ill resented by the reverend Elders of other churches and many serious per-

a week of this time, no other town of New England had more than a single church.[1]

The General Court, which presently after came together, considered these movements as entitled to its notice. The House of Deputies, which proved to have a majority of *Anti-Synodists*, raised a committee to inquire respecting the prevailing sins which had provoked the Divine displeasure. The committee's report ascribed it to "declension from the primitive foundation-work; innovation in doctrine and worship, opinion and practice; and an invasion of the rights, liberties, and privileges of churches"; and especially they referred in terms of censure to the proceedings of the new congregation in Boston. But it seems that the Deputies, or their committee, did not in this matter represent the sense of the Colony. At the next annual Court for Elections, fifteen ministers, in an elaborate memorial, complained of the recent action of the Deputies. They protested against "the unjust charge of innovation," going so far as to say that it "savored of a spirit under an extraordinary transportation, from a present, personal, and passionate concern in the interest of a party." And they prayed the Court to grant them "redress, either by calling them to vindicate themselves publicly, ... or by moving and encouraging the churches to a general convention by their elders and messengers for the

Agitations respecting the *Half-Way Covenant*.

May.

1671. May 31.

sons, and therefore desire they would forbear further proceeding therein. Voted to be sent down to the Deputies.

"EDW. RAWSON, Secretary.

"25 May, 1669.

"This vote was put to the vote by Mr. Bradstreet, who was, on the Governor's refusing to put it to the vote, called by the Magistrates so to do. As attests, EDW. RAWSON, Secretary.

"Present that did it:

"Capt. Gook[in],

"Major Denis[on],

"Mr. Willard,

"Mr. Russell,

"Mr. D[anforth],

"Mr. Ting."

(Mass. Archives, X. 7.)

[1] See below, p. 119; comp. Vol. II. p. 397, note.

debate and decision of such questions, and an accommodation of such differences which had begotten these misunderstandings."

The petitioners addressed themselves to a tribunal materially different from that which had rebuked them. The composition of the House of Deputies had been changed by a new election. Of fifty Deputies only twenty were now the same as in the last year. There can be no doubt that what occasioned this revolution was the judgment of the majority of the towns on the pending controversy. The decision of the government was favorable to the memorialists. "The Court declared that they knew no just cause of those scandalizing reflections against Magistrates, Elders, and churches, either in reference to the new church of Boston or otherwise, and therefore, till they be further informed, must judge them innocent, and unduly calumniated and misrepresented; and that they professed, with the reverend Elders in their Address, that they did adhere to the primitive ends of their coming hither, retaining the sober principles of the Congregational way, and the practice of the churches in their present and most athletic constitutions."[1]

[1] Mass. Rec., IV. (ii.) 489–494. — The excitement of this controversy had not passed away when Oakes, minister of Cambridge, and before long President of the College, preached his Election Sermon in May, 1673. The following is a specimen of his treatment of it: —

"For a professing people to be contending and quarrelling, biting and devouring one another, is most unseasonable, most unreasonable. Your differences will make way for those that will make no difference between Synodists and Antisynodists, Old or New-Churchmen; Tros Tyriusve illis nullo discrimine agetur.' The hatred of your adversaries is not derived upon you as you are thus and thus distinguished and diversified among yourselves; but upon one common account. The enmity of the seed of the serpent is against one and all of the seed of the woman, of what complexion soever they are; and their hatred is πρὸς τὸ γένος, against the whole race and generation of religious and reforming professors among us. These divisions will open a wide door to your adversaries. Those that let out these waters of strife, and fill their streams with bitterness; that kindle these flames and increase them, or hinder the quenching of them, do thereby gratify

The aged Davenport was spared the distress which this decision would have cost him. His career in

them exceedingly that wish ill to our Zion.

'Hoc Ithacus velit, et magno mercentur Atridæ.'

And indeed it would be very strange if the industrious and indefatigable Jesuits (that compass sea and land to do mischief), and other sly and subtle and malignant enemies, should not improve and graft upon the stock of our divisions." (Oakes, New England Pleaded with, &c., 37.)

Again: —

"Who knows not (that is no stranger in our Israel) that the ministers of Christ among you indefinitely have been deliberately and solemnly 'charged with a declension from primitive foundation-work, innovation in doctrine and worship, opinion and practice, invasion of the rights, liberties, and privileges of churches, usurpation of a lordly, prelatical power over God's heritage, and with the like things, which are the leaven, the corrupting gangrene, the infecting, spreading plague, the provoking images of jealousy set up before the Lord, the accursed thing which hath provoked Divine wrath and further threatens destruction?' I need give you no other instance of this evil spirit of jealousy and calumny than this. Here is good measure pressed down, shaken together, and running over." (Ibid., 40.)

And in another place: —

"Though it may be thought by some that these wretched practices are but the small devices of some petty politicians and little creeping statesmen among us, that have no very considerable influence into our public affairs; yet I must needs say, that I look upon this course of calumniating your best men as the very Gunpowder Plot that threatens the destruction of church and state. Nothing (as experience shows) is more advantageous to the designs of innovators than the right knack of kindling and fomenting jealousies and fears in the minds of men concerning magistrates and ministers. Such men are wont to make and improve false alarms of danger, that people may believe that religion and liberties are at the stake, and in danger to be lost! Designers are wont to impose upon the credulity and easiness of well-meaning people in this way. And that men are generally disposed to receive such impressions, and suspect evil of their superiors and leaders, is but too manifest. Moreover, these calumnies are immoralities and scandalous evils, and it is the duty of God's servants to lift up their voice as a trumpet, to cry aloud and not spare them that are guilty, whatever the issue be; yea, to cry to God and man for redress. And I would humbly commend it to our honorable rulers, upon whom the lot of this day's election shall fall, that they would take it into serious consideration, and fix upon some expedient to put these lying lips to silence, and to find out the principal authors and fomenters of these mischievous calumnies." (Ibid., 42, 43.)

"Matchless" Mitchell, at an earlier period of the dispute, had engaged in it with less severity: —

"To leave the children of non-scandalous orthodox Christians unbaptized will (I doubt not) be one day found a thing displeasing unto Jesus Christ. But on the other hand, to baptize in such a lax and licentious way as serves to dress men in the livery, without bearing the yoke, of Christ, to have his name upon them, with rejection of his government, this will not suit either the principles of reformers or the rules of Scripture. So though

Boston lasted little more than a year.[1] The controversy which had so interested him was not at an end; but the tendencies of the time were adverse to the re-institution of the ancient strictness of church order. The novelty which the Synod had introduced found its chief opponents among the more conservative class of laymen. Its advocates among the clergy were from the first a majority, which was constantly increasing from generation to generation; and the *Half-Way Covenant*, as it was at first opprobriously called, was recognized by the general practice of the Congregational churches of New England.

Death of Davenport. 1670. March 15.

This protracted discussion of a set of questions concerning the rite which in another aspect engaged the special attention of the Baptists, had naturally kept alive the zeal of that sect, and probably had added to their numbers. It was at the height of the alarm caused by the visit of the Royal Commissioners, — when it might seem that local disaffection was fraught with peculiar danger, and that a display of vigor in administration would be especially op-

Renewed controversy with the Baptists.

rigid severity in admissions to the Lord's table is to be avoided, yet to be lax and slight therein, to admit all sorts to full communion, or upon very slight qualifications, is against the principles and against the interest of reformation. Again, to put election of church-officers into the hands of all (though matters ought to be so unblamably carried as none may have any just objection against the person chosen, without matter of satisfaction given them) is such a piece of ruining confusion as none of the ways or models of church-government that have been of any repute in the world would ever admit of. That is an Anabaptistical tenet." (Mitchell, Nehemiah on the Wall in Troublesome Times, ... as it was delivered in a Sermon preached at Boston in N. E., May 15, 1667.)

Two elaborate treatises by Increase Mather, published in 1675, with the titles, "The First Principles of New England," &c., and "A Discourse concerning the Subject of Baptism," &c., mark the subsidence of the controversy. More urgent interests supervened.

[1] His remains lie in King's Chapel burial-place, in the same tomb with those of Cotton, close to the tomb of the Winthrops. Independently of what he left in New Haven, Davenport's property in Boston was appraised at £ 1240. 18*s*. 10½*d*. The plate was valued at £ 50; pewter and tin ware at £ 20; cheny [china] and earthen ware at £ 5; and books at £ 233. 17*s*. See Bacon, Discourses, &c., 388.

portune, — that five persons of that profession had been disfranchised, and a law had been passed, in pursuance of which three persons were afterwards put in prison.[1] Soon after this, the congregation found a place for its meetings on Noddle's Island, in Boston harbor.[2] They had not here escaped the notice

1665. Oct. 11.

1 See Vol. II. pp. 485, 486. — For the time to organize themselves the Baptist church chose the very week of the hottest dispute between the Magistrates and the Royal Commissioners. (Ibid., 616, 617.) They subscribed their Covenant, May 28, 1665. (Winchell, Two Discourses, &c., 8.)

2 This appears from a devise in the will of Henry Shrimpton, dated July 17th, 1666: "I give ten pounds to the Society of Christians that doth meet at Noddle's Island, of whom is Gold, and Osborn, and the rest, as a token of my love." At that time, or later, Gold had his dwelling on the island. "Brother Gold is not yet taken, because he lives in Noddle's Island, and they wish to take him at town." (Letter of Edward Drinker to John Clarke, in Backus, History, &c., I. 398.)

In the year 1650, Noddle's Island was sold by Maverick to Captain George Briggs, of Barbadoes. After changing hands two or three times, it was bought, in 1667, by Sir Thomas Temple, who, in 1670, sold it to Samuel Shrimpton for £ 6,000. (Sumner, History of East Boston, 178, 184, 186.) Shrimpton's father, who began life as a brazier, left a fortune at his death, in 1666, appraised at £ 11,979. (Ibid., 191.)

Temple, who was always too adventurous, had already fallen into embarrassments before he sold Noddle's Island. In November, 1668, he, then in London, wrote to the Lords of the Council, representing that, in old age and infirmity, he was reduced to want, and asking satisfaction for his disbursements, and for the surrender of his principality of Acadie to the French. (See Vol. II. p. 441.) May 9, 1673, the Governor and Assistants of Massachusetts wrote to the King, testifying that Temple, who had meanwhile come back to America, and was again about to return, had always been "very faithful and industrious in attending the King's service." (Mass. Arch. II. 513.) They did their best, though ineffectually, to save his province for him, when it was yielded to France by the treaty of Breda. (Letter of the Magistrates to Lord Arlington, May 21, 1669, in Mass. Arch. CVI. 199.) He died March 27, 1674. There was a bit of scandal current, which, as was thought, "did sit deep upon his spirit and hastened his end. . . . . I saw," wrote John Collins to Governor Leverett, "neither disease nor pain that would hasten his end, but his spirit broken. . . . . I hope he had the root of the matter in him, and is gone home to rest." (Letter in Hutch. Coll., 445; comp. 464.)

Temple's course, as is not uncommon with courtiers, had often been an embarrassed one. In the English State-Paper Office is a curious letter from him to Thomas Povey, written in the winter of 1660–61, just after the King's accession. His object is to get a confirmation of his property in Nova Scotia, and he says that the reason of his having been banished to a wilderness was his attachment to the late King, "one of whose last commands

of the Magistrates, who, "being willing by all Christian candor to endeavor the reducing of the said persons from the error of their way, and their return to the Lord and the communion of his people whence they were fallen," voted to offer to the backsliders "an opportunity of a full and free debate," and appointed six ministers to conduct it on their part.

1668. March 7.

It was held in the meeting-house of the First Church in Boston, the Baptists being assisted by three brethren despatched to them from Newport. It lasted two days, and came to nothing. The dissentients were not reclaimed, and the General Court, which soon met, proceeded to consult upon their case. Thomas Gold, and two of his associates, William Turner and John Farnum, were sentenced to banishment from the Colony, and declared liable to imprisonment in case they should return.[1] Besides a strong remonstrance from eminent men in the Colony,[2] thirteen English ministers, among whom were Goodwin, Owen, and Nye, wrote to the Governor, urging him, partly on account of the effect on their own position at home, to desist from this intolerant course of proceeding.[3] The Court resented the interference of the citizens by imposing a fine upon two persons who had been active in circulating the petition.[4] But either

April 14, 15.

May 27.

1669. March 25.

was that he whispered to Kirk on the scaffold to charge this King to have a care of honest Tom Temple." He owns his having accepted a commission from the rebel authorities; but insists that it was purely from the sad necessity of the time.

[1] "April 14th, 15th [1668] was a public dispute between six of our ministers and a company of Baptists, in Boston meeting-house, who had, against the laws of the country, gathered themselves into a church. Three of them were excommunicate persons." (Hull, *ubi supra*, 226, 227; comp. Benedict, General History of the Baptist Denomination, &c., I. 391; Mass. Rec., IV. (ii.) 374; Backus, History, &c., I. 375.)

[2] This remonstrance is in the Massachusetts Archives. (X. 221.) Among the signers were no less considerable persons than Sir Thomas Temple, Edward Hutchinson, Elisha Hutchinson, and the rich John Usher and Samuel Shrimpton. Several papers relating to the transaction are preserved. (Mass. Arch. X. 221 – 231.)

[3] For their letter, see Mather, "Mag nalia," &c., VII. 28.

[4] Mass. Rec., IV. (ii.) 413.

there was little disposition to follow up the business further than was thought necessary for asserting the authority of the government, or else the rulers observed the existence and growth of a public sentiment of toleration which it would not be wise to oppose. For the sentence of banishment remained unexecuted, and the Baptists continued to maintain their worship on Noddle's Island.[1] Five years had scarcely passed after that decree, when one of them was able to write: "The church of the baptized do peaceably enjoy their 1674. Jan. 9.

1 November 30, 1670, (two years and six months after the sentence of banishment against Gold, Turner, and Farnum,) Edward Drinker, one of the Boston Baptists, wrote to John Clarke's church at Newport a letter, from which the following are extracts: —

"Friends, I suppose you have heard that both he [Turner] and Brother Gold were to be taken up; but only Brother Turner is yet taken, and has been about a month in prison. Warrants are in two marshals' hands for Brother Gold also, but he is not yet taken, because he lives on Noddle's Island, and they wait to take him at town. The cause why they are put in prison is the old sentence of the General Court in '68, because they would not remove themselves. There were six Magistrates' hands to the warrant to take them up, viz. Mr. Bradstreet, Major Denison, Thomas Danforth, Captain Gookin, Major Willard, and Mr. Pinchon. But all the Deputies of the Court voted their liberty, except one or two at most, but the Magistrates carry against all; and because some others of the Magistrates were absent, and some that were there were Galliolike, as one Mr. R. B. G. [Richard Bellingham, Governor]. . . . . The town and country is very much troubled at our troubles; and especially the old church in Boston, and their elders, both Mr. Oxenbridge and Mr. Allen, have labored abundantly, I think, as if it had been for their best friends in the world. Many more gentlemen and solid Christians are for our brother's deliverance; but it cannot be had; a very great trouble to the town; and they had gotten six Magistrates' hands for his deliverance, but could not get the Governor's hand to it: some say one end is, that they may prevent others coming out of England; therefore they would discourage them by dealing with us. . . . . We keep our meeting at Noddle's Island every first day, and the Lord is adding some souls to us still, and is enlightening some others. The priests are much enraged. The Lord has given us another elder, one John Russell, senior, a gracious, wise, and holy man, that lives at Woburn, where we have five brethren near that can meet with him; and they meet together a first days when they cannot come to us, and I hear there are some more there looking that way with them." (Backus, History, &c., I. 399, 400. Comp. letter of Mary Gold to John Winthrop, Jr., in Mass. Hist. Coll., XXX. 72.)

The new Woburn church, it seems, had its share of threats and vexations, but still not of the most aggravated

liberty";[1] and they used their liberty in transferring their weekly worship to a house which they hired for the purpose in the town.[2] The death of the severe Bellingham, which took place while, in his eighty-second year, he was occupying the chief magistracy for the ninth time in succession, afforded them a prospect of more repose in future.[3] Leverett, who succeeded him, was a man of more gentle nature, and his mind had been liberalized by larger commerce with the world.[4]

Death of Governor Bellingham. 1672. Dec. 12.

1673. May 7.

kind: "The persecuting spirit begins to stir again. Elder Russell and his son, and Brother Foster, are presented to the Court that is to be this month." (Letter of Benjamin Sweetzer of December 1, 1671, in Backus, History, &c., I. 404.) "Through grace he [Russell] is yet in the land of the living, and out of prison bonds." (Letter of William Hamlit of June 14, 1672, Ibid., I. 405.) John Russell was a shoemaker. ("Ne *Sutor* ultra Crepidam," 26.) He was afterwards minister of the Boston church of Baptists, and published a "Narrative" of the transactions of this period, which Samuel Willard answered in the "Ne Sutor," &c.

[1] William Hamlit to Samuel Hubbard, in Backus, History, &c., I. 414.

[2] "This summer [1674] the Anabaptists that were wont to meet at Noddle's Island met at Boston on the Lord's day. One Mr. Symon Lind letteth one of them a house." (Hull, Diary, in Archæol. Amer., III. 238.)

It is pleasant to get so near, as at this period we are, to the end of the controversy with the Baptists. No doubt the New-England fathers thought, with the tolerant Jeremy Taylor (Liberty of Prophesying, § 19), that Anabaptism was "as much to be rooted out as anything that is the greatest pest and nuisance to the public interest." They understood the sect to be not only wedded to false and hurtful doctrine, but to be inveterately hostile to certain great public interests which at all events they meant to protect, — the interests of good order, good morals, and good learning. The name *Anabaptist* had for them a significance not the less terrible for being vague, as standing for every sort of turbulence and recklessness, and threatening every sort of social mischief. It was a word of horror such as some can remember the word *Abolitionist* to have been, more recently. Every age has its pet prejudices of this kind, foolish and discreditable, even when they are not cruel. Time calms passion, and the Baptists were not very long in living down their ill-repute.

[3] Bellingham had survived all the other persons named in the Charter of Massachusetts Bay.

[4] Francis Willoughby, first chosen Deputy-Governor in 1665, continued to hold that office till his death in April, 1671, when he was succeeded by Leverett. When Leverett was promoted to be Governor, Samuel Symonds, of Ipswich, already for nearly thirty years an Assistant, was made Deputy-Governor, and continued in that office for five years, till his death.

The General Court had another subject of anxiety close at hand. There was trouble in the College. It had constantly gained in the public estimation during the seventeen years of the Presidency of Chauncy, and in the last of these years, the original building being insufficient in size and falling into decay, a liberal private contribution had been made for the erection of another.[1] But when the President died, the choice of his successor led to dissensions. Leonard Hoar, an Englishman by birth, had been educated at Harvard College under the presidency of Dunster, and had then returned to his native country. There he married a daughter of John Lisle, a member of Cromwell's "other house," and for nearly twenty years exercised, at once or successively, the professions of minister and physician, a combination of pursuits which was not uncommon among the Puritans of those days. Hoar, at College, had been a member of the class next after that of Mr. John Collins, who, having been a chaplain in Monk's army, was now a minister in London, and the person principally intrusted there

Troubles in the College.

1672. Feb. 19.

[1] The sum of £ 2,697 was contributed by forty-three Massachusetts towns. Boston gave £ 700, besides £ 100 furnished by Sir Thomas Temple. Portsmouth, in New Hampshire, engaged to give £ 60 annually for seven years. "While we have articled with you," wrote that town to the General Court, "for exemption from taxes, yet we have never articled with God and our own consciences for exemption from gratitude." (Quincy, History of Harvard University, I. 30, 508.) Nor was the interest in Harvard College confined to this side of the water. Richard Baxter was now one of its mindful English friends. "I have directed to Mr. Bradstreet, at Boston, as my gift to your University Library, Dr. Castell's Polyglot Lexicon, with the first of Mr. Poole's four volumes of the Critics [Synopsis Criticorum]. I had sent with them the Polyglot Bible, but that I understood that my friend Mr. Boyle had sent it before. I shall, if God will that Mr. Poole live to finish them, send the other three volumes of the Critics, or take care that they be sent, if I live so long. For Mr. Davy, a merchant, hath promised them to me for your library." (MS. Letter of Baxter in Dr. Williams's library.) An appeal of the Corporation of the College to their English friends (Aug. 21, 1671) is preserved (Mass. Arch., LVII. 72); also, the appeal of the General Court to the towns. (Ibid., 74 – 78.)

with the affairs of the Colony, which in these years maintained no regular agent. Without delay, after hearing of Chauncy's death, Hoar embarked for Boston, fortified by a letter from Collins to the Governor. "The bearer hereof," said the writer, "is yet more yours than ours, through his ardent desire to serve God in what work He will allot to him in your parts where he hath had his education; which, in the judgment of wiser men than myself, is thought to be in your College employment, to which he is very well qualified in many things."[1] Three months earlier, in anticipation of Chauncy's death, John Owen and twelve other eminent English ministers had addressed a joint letter to the Magistrates and ministers of Massachusetts, in which they expressed their judgment "that God had so far furnished Dr. Hoar with the gifts of learning and the grace of His spirit, as that . . . . . he might in some measure supply that want, and help to make up this breach."[2]

May 10.

Feb. 5.

The General Court shared, or caught, the enthusiasm of the London ministers. They voted to raise the President's annual allowance from a hundred to a hundred and fifty pounds, "provided Dr. Hoar were the man for a supply of that place now vacant, and that he accepted thereof"; and they offered to the College a new charter (which, however, did not take effect) embracing some extension of its privileges.[3] The office was conferred and accepted, and all who expressed their minds joined in liberal applause.

Presidency of Dr. Hoar. Oct. 8.

But the fairest prospects are sometimes the quickest to fade. What was the matter with President Hoar, the present age does not know.[4] The age immediately

1 Hutch. Coll., 435.

2 Ibid., 431.

3 Mass. Rec., IV. (ii.) 535–537.

4 "Were he considered either as a scholar or as a Christian, he was truly a worthy man; and he was generally reputed such, until, happening, I can scarce tell how, to fall under the dis-

succeeding his own was at a loss to describe it. But his administration proved a failure. The pupils of the College were unruly. Some of its governors were disaffected. A year had scarcely passed, when from "some of the honored Overseers" the General Court "received a narrative of uncomfortable debates and motions," so serious as to cause the Court to threaten an expression of "their due resentment as to the obstructors."[1] At the end of another year "the Court by good information understood that, notwithstanding all former endeavors, the College yet remained in a languishing and decaying condition"; and to the end of taking "further effectual course, if possible, for the revival of that great work and its future flourishing and establishment," they appointed a day to hear the representations of a numerous body of persons then and formerly connected with the College. The hearing was had. "The President, upon his own voluntary motion, in consideration of the paucity of scholars, did freely lay down fifty pounds of his

1673. Oct. 15.

1674. Oct. 7.

pleasure of some that made a figure in the neighborhood, the young men in the College took advantage therefrom to ruin his reputation as far as they were able. . . . . The young plants turned cud-weeds, and with great violations of the fifth commandment set themselves to travesty whatever he did and said, and aggravate everything in his behavior disagreeable to them, with a design to make him odious; and in a day of temptation, which was now upon them, several good men did unhappily countenance the ungoverned youth in their ungovernableness." (Mather, Magnalia, IV. 129. Mather entered College in the year of Hoar's resignation, and may be presumed to have heard all the tattle of the place.)

[1] Mass. Rec., IV. (ii.) 567. When matters were going so badly with Hoar, Collins had misgivings about his own agency in promoting him. "If our letter be viewed, you will not find that we did recommend him to be your President. We judged that too much for us to undertake, nor did we excite him to come or urge him upon such hopes. It was his own eager desire after it, and his thinking that he might be serviceable there. All we said was, that, since he was prepared to come, we thought him one that might be helpful in your College work, and left it to you to judge how." (John Collins to Governor Leverett, April 10, 1674, in Hutch. Coll., 445.) Leverett was friendly to Hoar. "The Doctor's opposers lose ground, and I hope the work will yet be carried, in an end." (Leverett to Collins, Aug. 24, 1674, in Hutch. Coll., 464; comp. 471.)

salary"; and the Court resolved, that if, at its next meeting, "the College were found in the same languishing condition, the President was concluded to be dismissed without further hearing of the case."[1] Of course, if there had remained a possibility of restoring subordination, this vote put an end to it. Before the Court met again, the President resigned his office. The mortification was too much for him. He fell into a consumption, and died at Boston before the end of the year.[2]

His resignation. 1675. March 15.

His death. Nov. 28.

When the Dutch captured New York,[3] it may have been supposed by the government of Massachusetts that the Duke would be inclined to abandon the rest of his American property. Immediately after that occurrence they proceeded to extend their eastern border so as to enclose territory belonging to his Province of *Cornwall*, eastward of the river Kennebec.[4] A new survey had shown that a line running east and west three miles north of every

Extension of Massachusetts to the eastward.

[1] Mass. Rec., V. 20, 21. The effect of this vote is recorded by Increase Mather, in a fragment of his Journal, found among the papers of Dr. Belknap, which have lately come into the possession of the Massachusetts Historical Society. "Nov. 15. The scholars, all except three, whose friends live in Cambridge, left the College."

[2] "The hard and ill usage which he met withal, made so deep an impression upon his mind, that his grief threw him into a consumption." (Mather, Magnalia, IV. 129.) — Very early in the course of his administration, Hoar began to suffer from the hostility of some of his six associates in the Corporation. September 15th, 1673, Richards, the Treasurer, and Oakes and Brown, two of the Fellows, resigned their places. Shepard did the same a little earlier or later, and Oakes and Shepard (October 2d) rejected an invitation to return. After a year, the request was renewed to them (December 11th, 1674), and at the same time Increase Mather was elected a Fellow; but no one of these distinguished persons for the present vouchsafed a reply. At length, at the meeting at which the President's letter of resignation was read, they appeared and took their places. (Quincy, History, &c., I. 471.) Mather, however, was Hoar's friend. (Mather's Journal, Nov. 28th, 1675, in the Belknap collection of MSS.)

[3] See above, p. 34.

[4] See above, Vol. II. pp. 580, 622. — The Duke's Governors had given little attention to this part of his domain. But Lovelace had opened a correspondence with it (Feb. 16, 1673) just before his expulsion from New York by the Dutch. (Hough, Papers relating to Pemaquid, 6.)

part of the river Merrimac, agreeably to the terms of the charter, would include the southern part of the country beyond the Piscataqua, as far east as to the outlet of Penobscot Bay.[1] The General Court, accordingly, in the spring after the capture of New York, proceeded to incorporate this country into Massachusetts, and appointed Commissioners to organize it, as the County of *Devonshire*, "according to God, and the wholesome laws of this jurisdiction, that so the way of godliness might be encouraged, and vice corrected."[2]

1674. May 27.

County of Devonshire Oct. 7.

In the other Colonies of New England, as in Massachusetts, the tranquil course of events during the next ten years after the visit of the Royal Commissioners presents little matter for the historian's notice. In Plymouth, Thomas Prince was continued at the head of the government, till, having reached the seventy-third year of his age, he died, and was succeeded by Josiah Winslow, son of the third Governor. Eight years before his death, Prince had removed from his plantation at Eastham to the town of Plymouth, where, "for the more convenient administration of justice," the Colony now provided a house for the Governor's residence, at the same time fixing his annual salary at the sum of twenty pounds.[3]

Death of Governor Prince. 1673. April 8.

1665. October.

1 Mass. Rec., IV. (ii.) 487, 519.

2 Ibid., V. 5, 16–20; comp. Williamson, History of Maine, I. 441–444. For this and other proceedings of theirs which had occasioned complaint in England, the Magistrates justified themselves in a long letter to Boyle, May 10, 1673. (Works of Robert Boyle, 4to, I. cxvi. *et seq.*)

3 Plym. Rec., IV. 108. — At the same time it was ordered that the "old Magistrates" should be allowed ten pounds annually, besides the charge of their diet when on official duty, which latter allowance alone was made to Magistrates newly elected. (Brigham, Compact, &c., 146.)

In 1667, the Court, at the suggestion of the Royal Commissioners, made a grant of two hundred acres of land in the town of Bridgewater to Peregrine White, of Plymouth, "in respect that he was the first of the English born in these parts." White lived to be eighty-three years old. He died at Marshfield, July 20, 1704.

Winslow was a man of less rigid temper than his predecessor. By his influence, in the first year after his accession, James Cudworth, whose tenderness for the Quakers had cost him his high standing in the public regard, was restored to a place among the Magistrates.[1] Winslow and his associates maintained a state hitherto unknown in the simple community of Plymouth. The Court ordered that four halberdiers should attend the Governor and Magistrates at the annual elections, and two during the session of a Court.[2] Prince, though himself unlearned, had an enlightened sense of the worth of knowledge, and by his liberal zeal an important measure was advanced, which, however, was not quite brought to a conclusion before his death. Immediately after that

Administration of Josiah Winslow.
1674. May.
1675. June.

1 Plym. Rec., V. 143; comp. 124. — In December, 1673, Cudworth was appointed by the General Court to the command of an expedition against the Dutch. (Plym. Rec., V. 136.) But he excused himself, partly because of distrust of his capacity for so important an enterprise, and partly for domestic considerations. "My wife," he wrote to Governor Winslow, "as is well known to the whole town, is not only a weak woman, and has so been all along; but now, by reason of age, being sixty-seven years and upwards, and nature decaying, so her illness grows more strongly upon her; never a day passes but she is forced to rise at break of day, or before; she cannot lay for want of breath; and when she is up she cannot light a pipe of tobacco, but it must be lighted for her; and until she has taken two or three pipes, for want of breath she is not able to stir; and she has never a maid. That day your letter came to my hands, my maid's year being out, she went away, and I cannot get nor hear of another. And then in regard of my occasions abroad, for the tending and looking after all my creatures, the fetching home my hay, that is yet at the place where it grew, getting of wood, going to mill, and for the performing all other family occasions, I have none but a small Indian boy about thirteen years of age to help me. . . . . .

"Sir, I can truly say that I do not in the least waive the business out of any discontent in my spirit, arising from any former difference; for the thought of all which is and shall be forever buried, so as not to come in remembrance, though happily such a thing may be too much fomented; neither out of an effeminate or dastardly spirit; but am as freely willing to serve my king and my country as any man whatsoever, in what I am capable and fitted for; but do not understand that a man is so called to serve his country with the inevitable ruin and destruction of his own family." (Letter of Cudworth, January 16, 1674, in Mass. Hist. Coll., VI. 81, 82.)

2 Plym. Rec., XI. 240.

event the Court voted that a public school — the earliest in the Colony — should be set up in the town of Plymouth, and that the revenue from the "Cape Fishery" should be appropriated to its support, "until such time as the minds of the freemen be known"; and at their next meeting the freemen expressed their approbation of this endowment.[1]

Endowment by Plymouth of a public school. 1673 June. 1674. June.

The relations between Governor Prince and the Royal Commissioners had been friendly.[2] On the one hand, his Colony desired, as far as might be, to stand well at the English court, in order to the accomplishment of its hope of obtaining a charter; on the other hand, it reasonably distrusted its capacity to maintain itself against the consequences of royal displeasure, especially when, as seemed probable, the Confederacy should go to pieces. It suited the Commissioners to encourage this pliant temper, because it was a rebuke to the contumacy of Massachusetts. They cultivated a good understanding by their action in respect to the boundary on the side of Rhode Island. They determined that Plymouth Colony extended westward to the shore of Narragansett Bay.

Friendly relations between Plymouth and the Royal Commissioners.

The government which in Rhode Island had been set up under the royal charter[3] might have been expected to prove a great advance on the organizations which had before existed in that quarter. At its inauguration a sweeping Act was passed, repealing all laws "inconsistent with the present government," and especially the law by which each town had a negative on the action of the rest. A new judiciary system was established. "General Courts

Charter Government of Rhode Island. 1664. March 1.

1 Plym. Rec., XI. 233, 237.

2 Several of the original papers relating to the business of the Commissioners with Plymouth are in the Winslow collection of MSS., in the possession of the Mass. Hist. Soc., pp. 14–31.

3 See above, Vol. II. p. 570.

of Trials," consisting of the Governor or Deputy-Governor and at least six Assistants, were appointed to be held twice every year at Newport, in May and in October. Two other courts, consisting each of at least three Assistants, were to sit every year, one at Warwick in March, the other at Providence in September; but they could not take cognizance of cases involving a sum above ten pounds. Special courts, consisting of at least three Assistants, might, "as urgent occasion should present," be convened by the Governor, or, in his absence, by the Deputy-Governor; but the cost was to be defrayed by the parties at whose desire they were held. The courts were attended by grand-juries and petit-juries.[1] At an early time, an important change was projected in the legislative department. An order was passed for the Magistrates and Deputies, as in Massachusetts and Connecticut, to vote in separate chambers, each branch having a negative upon the other.[2] But the details of this plan were not settled,[3] and it did not take effect till it was revived many years later.

1666. March 27.

Independently of the dearth in Rhode Island of capacity for conducting a government,[4] the business of governing was not attractive in a community composed of citizens of minds so excursive and so variously inclined. After the novelty was over, Deputies, and even Magistrates, did not care to come to the General Courts. New persons were chosen, but they also absented themselves.[5] The effect of rewards and

Its feeble administration.

[1] R. I. Rec., I. 26, 27, 31.

[2] Ibid., 144, 145.

[3] Ibid., 151, 181.

[4] Cartwright can scarcely be supposed to have been spiteful against the Rhode Island people, for they had nothing but compliances and caresses for him and his fellow-Commissioners, but he reported the Colony to be "full of faction, and void of men fit to govern"; for, he continues, "there is beside the Governor and Deputy-Governor [Arnold and Brenton], betwixt whom, to my knowledge, there is a great feud, not one fit to make a Governor of." (Letter to the Earl of Lauderdale, December 5, 1665, in Proceedings of Mass. Hist. Soc., II. 274.)

[5] In the next year after the charter went into effect, only three Assistants

penalties was tried. A Magistrate or Deputy was to receive three shillings a day while on duty, and was to pay double that amount for every day of absence. But a revival of this system after several years' experiment shows that it had not proved effective, and that the causes of official negligence had not ceased to operate.[1]

Sept. 4.

1672. April 2.

Nor in a community so constituted could occasions of discord ever be wanting. One such occasion arose out of the agency of John Clarke in England. On a liquidation of his accounts, it appeared that, including the hundred pounds which had been voted to him as a gratuity, the Colony owed him three hundred and forty-three pounds. To satisfy this debt, and meet other public expenses, a tax was laid of six hundred pounds.[2] Portsmouth, Providence, and Warwick were dissatisfied with the assessments made upon them, and Warwick made an angry remonstrance.[3] Williams interposed with a letter to that town, exhorting it to more liberal behavior. It was read at the head of the Warwick train-band, and was answered by a vote

Factions and disorders in Rhode Island.

1664. October.

1666. March 26.

out of ten were re-elected (R. I. Rec., II. 96), and an equal change was made in the year after. (Ibid., 147.)

1 Ibid., 167, 168; comp. 171, 443.

2 Of this sum Newport was assessed two hundred and forty-nine pounds; Providence and Portsmouth, each a hundred pounds; Warwick, eighty; Conanicut, thirty-six; Pettyquamscott, twenty; and Block Island, fifteen. Hence we learn approximately the proportionate size of the settlements in 1664. Wheat and pease were to be received in payment at the rates respectively of four shillings and sixpence, and three shillings and sixpence, a bushel, and pork at the rate of three pounds and ten shillings a barrel. (Ibid., 77–81.) A tax-bill of 1670 ordered that payments should be made "in good pork, at three pence the pound; pease, at three shillings and six pence the bushel; wheat, at five shillings the bushel; Indian corn, at three shillings the bushel; oats, at three shillings two pence the bushel; wool, at twelve pence the pound; and butter, at six pence the pound." (Ibid., 359.) It is interesting to get access to facts of this kind. Comp. the "Two Years' Journal in New York" of Charles Wooley, who came over with Andros in 1678. His Price Current of several necessaries (p. 21) is about the same as that of the Rhode Island law.

3 R. I. Rec., II. 78–81.

"that the said letter is a pernicious letter, tending to stir up strife in the town, and that the town clerk record this vote, and send a copy of it to Mr. Williams."[1] On a reception from the Assistants of Newport of a further demand for the payment of the rate, the townsmen of Warwick passed a vote that the paper was "full of incivil language, as if it had been indicted in hell; therefore the town unanimously did condemn the same, and thought it not fit to be put among the records of the town; but did order that the clerk put it on file where impertinent papers should be kept for the future, to the end that those persons who had not learned in the school of good manners how to speak to men in the language of sobriety, if they were sought for, might be there found."[2]

1669. March 25.

The agency of William Harris, who was one of a committee of three persons charged with the duty of making "inspection into the levy of six hundred pounds,"[3] was not likely to advance the business towards an amicable adjustment. Harris had been one of Williams's original companions, when he came from Salem.[4] Afterwards they had a fierce quarrel.[5] At an election held in Providence, two sets of Deputies were chosen,

1667.

[1] Arnold, Hist. of R. I., I. 325.

[2] Ibid., 337. — The *impertinent file* of Warwick presently got a still more emphatic name. The town, having had occasion to write to William Harris, voted unanimously "that the town clerk do put the paper of William Harris, that occasioned the letter, upon the *dam-file*, among those papers of that nature." (Ibid., 340.)

[3] R. I. Rec., II. 254.

[4] See above, Vol. I. p. 422. — "Out of pity I gave leave to William Harris, then poor and destitute, to come along in my company." (Arnold, I. 97, note.)

[5] See above, Vol. II. p. 365. — Williams thought from that time very unfavorably of Harris. "Formerly no man amongst us had spoken more scornfully of the Quakers than W. Harris; now he extremely, privately and publicly, fawns upon them, seeing them my enemies, who had ever been his friend, and never his enemy but in his outrageous practices against town and colony and country. He was a pretender in Old England, but in New my experience hath told me, that he can be one with the Quakers, yea Jesuits or Mahometans, for his own worldly ends and advantage. He is long known to have put scorns and

at meetings convened under warrants which were issued respectively by Harris and Arthur Fenner, then colleague Magistrates in that town. The Deputies chosen under the warrant of Fenner were admitted by the General Court. Harris brought a charge against him "for acting in a rout." The Court acquitted Fenner,[1] and, "for the peace of the Colony," discharged Harris "from the office of an Assistant for the future, there being many grievous complaints against him, ... he being very apt to take advantages against the members of the Corporation, and to act in a deceitful manner."[2] July 2.

The next year, however, Harris was again chosen

jeers upon the eminent inhabitants of town and country. He hath been notorious for quarrelling, and challenging, and fighting, even when he pretended with the Quakers against carnal weapons; so that there stands upon record in the town-book of Providence an act of disfranchisement upon him, for fighting and shedding blood in the street, and for maintaining and allowing it (for aught I know) to this day. Then he turns Generalist, and writes against all Magistrates, laws, courts, charters, prisons, rates, and so forth, pretending himself and his saints to be the higher powers (as now the Quakers do); and in public writings he stirred up the people (most seditiously and desperately threatening to begin with the Massachusetts) and to cry out, 'No lords, no masters,' as is yet to be seen in his writing; this cost myself and the Colony much trouble. Then (as the wind favored his ends) no man more cries up magistrates: then not finding that pretence, nor the people called Baptists (in whom he confided) serving his ends, he flies to Connecticut Colony (then and still in great contest with us) in hopes to attain his gaping about land from them, if they prevail over us. To this end he in public speech and writing applauds Connecticut Charter, and damns ours, and his royal Majesty's favor also for granting us favor (as to our consciences), which he largely endeavors by writing to prove the King's Majesty by laws could not do. Myself (being in place) by speech and writing opposed him, and Mr. B. Arnold, then Governor, and Mr. Jo. Clark, Deputy-Governor, Captain Cranston, and all the Magistrates; he was committed for speaking and writing against his Majesty's honor, prerogative, and authority. He lay some time in prison until the General Assembly, where the Quakers (by his wicked, ungodly, and disloyal plots) prevailing, he by their means gets loose." (George Fox digged out of his Burrowes, &c., 206, 207.) "W. H. loved the Quakers, whom now he fawned upon, no more than he did the Baptists, whom he till now fawned on, but would love any, as a dog for his bone, for land." (Ibid., 205.)

1 R. I. Rec., II. 200–204.

2 Ibid., 209.

by the freemen of the Colony to be Assistant for Providence, and Fenner was remanded to private life.[1] The Governor refused to qualify Harris, but the Deputy-Governor (Easton, now a Quaker) administered the "engagement." The Court admitted him to his seat, and released him from the payment of a fine which had been imposed to meet the expenses of his controversy with Fenner.[2] So high was now his place in their confidence, that they invested him and any three others of the Committee appointed to gather the tax of six hundred pounds, with extraordinary powers for assessing it on individuals and collecting it by distraint.[3] Williams and he were still at deadly feud. By information from Williams, he was brought under a charge of traitorous correspondence with Connecticut, and a warrant was issued for his arrest and imprisonment.[4]

1668. May 6.

Oct. 29.

1669. Oct. 27.

1672. Feb. 24.

Meantime the business in which he had been too active for his popularity continued to be beset with difficulties. The liberty so fondly cherished in Rhode Island was not consistent with a regular payment of taxes. There was little money; the settlements were isolated; the central government was little recognized; the collectors were local officers, and sympathized with the people, who did not want to pay. In a spasm of energy the General Court passed an Act against persons "of a covetous or factious and malicious spirit, ... who opposed all or any rates, and thereby prevailed by their deluded adherents in overpowering the more prudent and loyal parties." All persons who

April 2.

[1] R. I. Rec., II. 223; comp. Staples, Annals of Providence, in R. I. Hist. Coll., V. 147–151.

[2] R. I. Rec., II. 237.

[3] Ibid., 288.

[4] Ibid., 429. At the next election after this, Harris's rival, Fenner, was chosen Assistant for Providence. (Ibid., 451.) But at the end of another year, Harris's star was again in the ascendant. (Ibid., 482.)

should, "especially in any town-meeting or other public assembly of people, appear, by word or act, in opposition to such rates and impositions," or should "appear in opposition against any of the Acts and Orders of the Assembly made according to the Charter, by speaking against such Acts or Orders openly in any concourse of people together, or that should move to the rejecting such Acts or Orders when published in such meeting in any town or place, or that should endeavor by word or deed to send back or otherwise to slight such Acts and Orders," were to be punished with "corporal punishment by whipping, not exceeding thirty stripes, or imprisonment in the House of Correction, not exceeding twelve months, or else a fine or mulct not exceeding twenty pounds."[1] But threats of this kind only express the perturbation of impotence. It is preposterous to assume such an attitude of menace in a community in which the mildest restraints of law are impatiently borne.

Quakers had become numerous in Rhode Island. Persons so considerable as Coddington and Easton had enrolled themselves with the sect as early as the time of the visit of the Royal Commissioners, and, in behalf of their fellow-believers, had addressed to Carr and his associates some communication the tenor of which is not recorded.[2] Their weight in the Colony may be partly inferred from the elections. In the ten years next after this time Easton was six times Deputy-Governor, and Governor twice, while towards the end of the same period Coddington held the first office for two terms, and the second for one,[3]

Quakers in Rhode Island.

1665. March.

1 Ibid., 438, 439.

2 Ibid., 118.

3 Since the "obstruction" called by his name was removed, Coddington had been in retirement till now, except that in 1666 he was first a Deputy from Newport (Ibid., 146), and then an Assistant (Ibid., 150). Before he was made Governor in 1674, he served once as Deputy-Governor under Easton. But he was only chosen to that office when three other persons had refused

and was succeeded as Governor by Walter Clarke, another Quaker.[1] In the year of Easton's first election to be Governor, nearly the whole administration was changed, and several persons who were elected refused to serve;[2] proceedings which are significant of the power of the Quakers, on the one hand, and of a passionate repugnance to it on the other. The General Court now chosen repealed one by one all the Acts of the Court of the preceding year; among the rest, the laws for punishing seditious language, and for levying a tax.[3]

1672. May.

About this time George Fox, being convalescent from an illness of some months, found that "it was upon him from the Lord to go beyond sea, to visit the plantations in America."[4] He accordingly sailed for Barbadoes, whence he proceeded first to Jamaica, then to Maryland, and finally, by New Jersey and Long Island, to Newport, where he became the guest of Governor Easton. He derived much satisfaction from his visit to the Rhode-Islanders. "Very good service," he writes, "we had amongst them, and truth had good reception. For having no priests in the island, and no restriction to any particular way of worship, and the Governor and Deputy-Governor, with several justices of the peace,

George Fox in Rhode Island. March.

May 30.

it. (Ibid., 484, 485.) I incline to think that his mind was now enfeebled; perhaps he did not on that account answer less well the purposes of the Quakers who promoted him. His letter, appended to the "New-England Fire-Brand Quenched" of Fox and Burnyeat, was, I presume, written as late as 1676, the year of the publication of Roger Williams's work to which that treatise was a reply. (New-England Fire-Brand, &c., Part II. 245.) But his "Demonstration of True Love," &c., was published in 1672. The reader of either of these works finds difficulty in believing it to have proceeded from such a mind as, with all its want of balance, Coddington's may be allowed to have been in earlier years.

[1] R. I. Rec., II. 541.

[2] Ibid., 449–451. Only four Assistants out of ten were re-elected; and of twenty Deputies, not one. John Cranston, who for three years had been an Assistant, was made Deputy-Governor. Both he and the Governor were Newport men.

[3] Ibid., 456.

[4] George Fox, Journal, &c., 426.

daily frequenting meetings, it so encouraged the people that they flocked in from all parts of the island."[1]

Fox did not enter any other New England Colony, but made a short visit to the Narragansett country, and attended a meeting of Friends at Providence. As to this meeting, he "had a great travail upon his spirit, that it might be preserved quiet, and that truth might be brought over the people, and might gain entrance and have place in them; for they were generally above the priests in high notions, and some came on purpose to dispute." He "was exceeding hot, and in a great sweat. But all was well." "The disputers were silent, and the meeting quiet."[2]

This last fact was the more observable, as Roger Williams was in Providence at the time. The two champions had then no interview or correspondence. But no sooner had Fox returned to Newport,[3] on his way back to the Southern Colonies, than Williams sent him a challenge to a public discussion of certain propositions relating to the Quaker system, fourteen in number, one half of them to be debated in each of the two chief towns of the Colony. The challenge was accepted, not by Fox, but by three of his adherents. Williams steadily insisted afterwards that Fox received the letter, or at least was informed of its being on the way, and had "slyly departed" from Newport, so as to evade the unpleasantness of answering a proposal which he feared alike to accept or to refuse.[4] Fox

Challenge of Roger Williams to George Fox.

1 Ibid., 442.

2 Ibid., 444.

3 "G. Fox was at Providence some few days before," writes Williams in connection with his sending of the challenge. (George Fox digged out of his Burrowes, 2. The title of this book contains a double pun. Edward Burrowes was one of Fox's eminent disciples.)

4 "He [Fox] ordered that my letters to our Deputy-Governor, Captain Cranston, in which my proposals to G. F. were, should not be delivered to the Deputy until G. F. was some hours under sail, that he might say he never saw my paper." (George Fox digged out of his Burrowes, Prefatory Address.) "This old Fox thought it best to run for it, and leave the work to his journeymen and chaplains." (Ibid., 5.)

and his friends with equal confidence maintained that the proposal was delayed till Williams knew that it would not reach him. Williams rowed himself down the bay to Newport to keep his appointment[1] with the three Quaker champions who entered the lists. There, in a disorderly meeting, he conducted a discussion with them, which lasted three days, and which in the following week was renewed for one day at Providence. Both parties claimed the victory. Williams wrote an account of the transaction in a volume of more than three hundred pages. It was published four years afterwards in Boston, and drew out a reply at still greater length, published in London, by Fox and his disciple, John Burnyeat. The rare talent for invective possessed by the Quakers in general, by their representatives on this occasion in particular, and by their present antagonist in a degree not surpassed by any of them, shines conspicuously in these works.

Williams's debate with Quakers.

Aug. 8.

Aug. 17.

When the alarm of impending war with Holland reached New England, the government of Rhode Island proposed to each of the Confederate Colonies to arrange with them for some joint action against the common enemy.[2] Winthrop recommended to them to apply to the Federal Commissioners, who were about to hold a meeting;[3] and the advice appears to have been followed, but without any result.[4] As yet there was no special cause for apprehension of an attack by the Dutch upon the province of New York, which, after the departure of Colonel Nicolls, was administered by Francis Lovelace for its proprietor. Lovelace interpreted his master's

June 17.

Designs of Rhode Island against the Dutch.

1 "God graciously assisted me in rowing all day with my old bones, so that I got to Newport toward the midnight before the morning appointed." (George Fox digged out, &c., 24.)

2 R. I. Rec., II. 461–464.

3 Letters of John Sanford and John Winthrop, in Mass. Hist. Coll., XXX. 82, 83.

4 Records, &c., in Hazard, II. 527.

grant so comprehensively as to make it include Prudence Island in Narragansett Bay, hitherto understood to belong to the town of Portsmouth. Rhode Island arrested Lovelace's officer sent to take possession; and, New York itself falling again the next year into the hands of the Dutch, this trivial controversy died away, and was not afterwards revived.[1]

If the King's Province, as it had been established by the Commissioners, was to include the whole of the Narragansett country,[2] little or nothing would remain to Rhode Island, except the towns of Newport, Portsmouth, Providence, and Warwick. But this was a point which Rhode Island was not disposed to yield; and a struggle for the extension of her territory on the side of Connecticut makes so large a part of the material of the history of the two Colonies for several years, that it cannot be overlooked, though the quarrel has little variety of incident, and has but a faint interest for readers at the present day.

Boundary question between Rhode Island and Connecticut.

It will be remembered that, according as the royal charters given respectively to Connecticut and to Rhode Island should be interpreted, the country between Narragansett Bay and Pawcatuck River belonged to the one or the other of these Colonies, and that conflicts had early arisen out of this disputed right of jurisdiction.[3] The Royal Commissioners had scarcely departed when this quarrel revived. For active measures the

1 Arnold, Hist., I. 361 – 363.

2 See above, Vol. II. p. 603.

3 Ibid., 561 – 564, 571 – 574; comp. R. I. Rec., II. 65 – 76. The overture of Rhode Island, mentioned in its place in this work (Vol. II. p. 574), was met (May 18, 1664) on the part of Massachusetts by the appointment of General Denison and Mr. Danforth as her negotiators (Mass. Rec., IV. 108.) And I suppose that the agents had a meeting. (R. I. Rec., II. 65.) But I do not find that anything came of this movement. Massachusetts had now no attention to spare from her business with the Royal Commissioners. Her interest in the Pequot lands was no longer considerable, and she was probably quite content that Connecticut, more directly concerned, should take care of the dispute about them with Rhode Island.

Rhode-Islanders had an advantage over their competitors in being nearer to the territory in dispute. The town of Stonington, as it had been occupied under Connecticut and Massachusetts, included lands which extended to a distance of four miles eastward of Pawcatuck River.[1] Some Rhode-Islanders took possession of weirs which had been laid by the other party, prohibited them from fishing in the river, and marked what they called the line of their Colony on the western bank. Pequot Indians, dwelling there on lands assigned to them under the protection of Connecticut, were molested by interlopers from Rhode Island.[2] One Crandall, of that Colony, surveyed a tract a mile square, west of the river, and established his son upon it. A crowd of intruders followed, whose habits rendered their presence doubly odious to the well-conducted earlier settlers.[3] Connecticut sent an embassy to Rhode Island, which came back without redress. She then proposed to examine and settle the question of boundary by negotiators, which the Rhode-Islanders, after a vexatious delay, consented to

1666. May.

1667. May.

October.

1668. May.

Aug. 20.

October.

1669. May 14.

[1] See above, Vol. II. pp. 383, 546, 552.

[2] The Pequots petitioned the General Court of Connecticut for protection against this Rhode Island rabble, "men," they say, "that wear hats and clothes like Englishmen, but have dealt with us like wolves and bears." (Conn. Rec., II. 529.)

[3] Conn. Rec., II. 529–531. — "Neither can any true-hearted and fellow-feeling Christians choose but mourn to see and hear of our neighboring disorders, and acknowledge our condition is truly deplorable, to have persons of such corrupt principles and practices to live so near us. . . . . 'T is not of small concernment, the bad example that is given to the Indians. 'T is to the grief of parents and others is observed how these firebrands too much inflame youth. . . . . May not parents' hearts bleed, when about to leave the world, to think how they leave their dear children in the mouth of the lion and paw of the bear, and worse, as being daily tempted by examples to follow after and embrace lies, to live as riotous, wanton, luxurious, and even no better than to be said unto, 'Serve other gods, or no god'?" (Petition of Stonington to the General Court of Connecticut, Ibid., 530, 531; comp. 80.) Rhode-Islanders were in extremely poor credit with their neighbors, whether Christian or savage.

do, adding, in respect to an expression of the other party, which they construed as a threat, that they "took no more notice of that than of a thing to which this Colony had been often used by their neighbors."[1] Rhode Island, though she consented, did not act till after a reiteration of the proposal, accompanied by a warning that, if the present opportunity for an amicable adjustment should be neglected, it might be the last: "We shall conclude it in vain further to move towards you in such a way, and shall address ourselves to put in practice what duty requires of us, in order to the relief of our oppressed neighbors." Then three persons were commissioned to meet others who should be appointed by Connecticut, and with them to "make a full and final accord of all matters relating to bounds."[2] 1670. May 12.

The action of Connecticut was embarrassed by the scruples of her Governor, who declared himself precluded by his arrangement in England with Clarke from countenancing her pretension to jurisdiction on the east side of the Pawcatuck.[3] The commissioners of the two jurisdictions met at New London, and began their session by agreeing that communications between them should be made in writing. The business was opened on the part of Connecticut (which Colony was represented by Secretary Allyn, and the Assistants James Richards and Fitz-John Winthrop the Governor's son[4]) with a peremptory claim May 17. June 14.

1 Ibid., 531–533; comp. 91, 92; R. I. Rec., II. 226–231.

2 Conn. Rec., II. 534. Connecticut at this time received petitions from Harvard College, and from a company of Massachusetts men, represented by Daniel Gookin, to be protected from Rhode Island in their possession of lands east of the Pawcatuck, which had been granted to them respectively by Massachusetts. (Ibid., 135, 227, 545–547.

3 Ibid., 533, 534; see above, Vol. II. pp. 562–564.

4 Fitz-John Winthrop, oldest son of the Governor of Connecticut, was born (probably at Ipswich) March 14, 1638. At the time of the Restoration he was in England, a captain in the army of General Monk. In 1670, he was one of a committee raised by Connecticut to negotiate with Rhode Island respecting the boundary. (Conn. Rec., II. 134; comp. 138.) The next year

"quietly and peaceably to govern and improve" all the country between Pawcatuck River and Narragansett Bay; understanding by that name the bay on which stands the town of Newport. From this pretension the Connecticut commissioners refused to depart; on such a basis there could be no treaty; and on the second day the conference broke up, with a declaration on each side that its alleged rights would be practically maintained. The commissioners from Rhode Island arrested five or six persons "for presuming to exercise authority in that jurisdiction," and sent one of them to gaol at Newport. But the Connecticut agents seem to have been backed by a stronger force. They proceeded eastward; and at the plantation now called Westerly,[1] on the east side of the Pawcatuck, at its mouth, having appointed a Marshal, they caused him to publish a Declaration requiring the submission of the inhabitants, and to arrest the persons who had made prisoners of their friends. They repeated their Declaration at Wickford and at Pettyquamscott, and then returned home, having communicated to the government of Rhode Island their own view of the business they had been engaged in. "We have been settling government within our own limits, and in our own plantations, which we trust we shall make good. . . . . As for your resolution still to persist in the exercise of government within our bounds, we desire it may be forborne, for doubtless the consequence thereof will prove very inconvenient."[2]

June 17.

Jnne 20, 22.

he was one of the two Deputies to the General Court, for New London (Ibid., 159); and the next year he was placed in command of the militia of New London County. (Ibid., 183.)

[1] This plantation was at one time called *Feversham*. (Mass. Archives, CXXVI. 393; comp. 360.) But I believe it did not receive this name till some years after 1670.

[2] Conn. Rec., II. 137, 138, 551–554. — It was at this time (June 22d) that Roger Williams wrote his "Letter to Major Mason," published in Mass. Hist. Coll., I. 275 *et seq.*, maintaining the justice of the claim of Rhode Island.

Altercations continued on the disputed ground, between private persons, and between subordinate officers of the two jurisdictions. The Governor of Rhode Island gave notice that his people meant to make an appeal to the King;[1] but subsequently, in consideration of the costliness of that proceeding, they proposed a repetition of the experiment of negotiating.[2] The assent of Connecticut to this project was rendered null by the positive claim with which the proposal was accompanied.[3]

July 11.

Oct. 15.

Further mutual provocations and disturbances followed. A Rhode Island court, sitting at Misquamicut (the part of Stonington east of Pawcatuck River), was broken up by a mounted party of Connecticut volunteers. Again Rhode Island proposed to have the pending question determined by a treaty, stipulating, however, that it should be held at Rehoboth or New York, "as places of more indifferency to meet and treat" than a Connecticut town, and desiring the presence, at the consultations, of Winthrop and Clarke, by whom the agreement had been made for that interpretation of the charters which favored Rhode Island. Connecticut consented to confer at Rehoboth or Boston with such commissioners from Rhode Island as should "be fully empowered to treat and conclude." But the Rhode-Islanders further explained themselves by writing: "To be plain and clear, in few words we must tell you that we have no power to alter, change, or give away any part of the bound prescribed and settled by his Majesty in his gracious letters-patent to exercise jurisdiction in." This statement, in the sense in which it was understood on both sides to be made, left no

1671. May.

June 14.

Oct 12.

Nov. 4.

[1] R. I. Rec., II. 338, 340.
[2] Ibid., 352.
[3] Conn. Rec., II. 535–537; R. I. Rec., II. 355–357.

space for a compromise. The government of Connecticut replied with sharpness: "We must needs say, if in your former letter you had dealt as plainly, we should never have given ourselves the labor and trouble we have had on that account; and now indeed we cannot but see you never intended any composure or compliance in the thing in controversy." One more attempt, however, was made presently after to bring about a friendly settlement. No account of its progress is preserved, but it led to no issue.[1]

1672. Jan. 29.

May 1–14.

Administration of Connecticut.

In Connecticut, by universal consent, Winthrop was continued from year to year at the head of the government. Mason was elected Deputy-Governor for ten successive years, at the end of which time, by reason of advancing age, he withdrew from this office to the less responsible station of an Assistant, and was succeeded by Leete, formerly Governor of New Haven, who was also continued in the place by repeated elections. In Connecticut, as in Massachusetts, the electors were remarkably constant in the confidence reposed in the incumbents of the higher offices; but in the former Colony the change, from year to year, of Deputies from the towns was rather the rule than the exception.

1669.

Project of an invasion of New France. 1666. July 6.

At the time when the British court projected an invasion of New France by a colonial army,[2] Colonel Nicolls, in New York, had information from friendly Indians that a French force of seven hundred men was on its march from the west towards Albany, and he wrote to Connecticut as well

1 Conn. Rec., II. 537–539; R. I. Rec., II. 376–380, 401–406, 418–425, 432, 458–461. In this year (November 6) Block Island was incorporated as a town under the name of *New Shoreham*, being the fifth town in the Colony, or the sixth, if Westerly be reckoned. (Ibid. 466–471.) Kingston, the next Rhode Island town in the order of time, was incorporated in October, 1674.

2 See above, Vol. II. p. 630; comp. Conn. Rec., II. 514.

as to Massachusetts for troops to enable him to attack them while on the way. Mr. Wyllys replied for Connecticut, that that Colony needed all its men for the agricultural work of the season; that the natives within its borders were enemies to the Mohawks, who were enemies to the French, so that the French could not be attacked by Connecticut in that quarter without danger of exciting a domestic insurrection; and that it would be "very difficult to pass to Fort Albany with a troop, the way was so bad, though, if they had occasion, they must pass it as they might."[1] The General Court, however, being presently convened, despatched a party of horse "to Fort Albany, or further as might be judged meet, to attain certain understanding concerning the motion of the French"; raised a committee with authority to call out the militia on any alarm; and desired the Governor to consult with Sir Thomas Temple and the authorities of Massachusetts respecting ulterior measures.[2]

July 11.

July 26.

The Magistrates had already written on the subject to the Governor of Massachusetts.[3] He convened his Council, who, after considering it, answered coldly, that they had instructed their Major-General "to take order for the provision and safety" of their own towns on the upper waters of the Connecticut, and that "in reference to what concerned the Colonies mutually, the Articles of Confederation directing and concluding them therein, they knew not how to propound any better expedient than a regular observance thereof."[4] Winthrop went to Boston for a conference with Temple and

July 10.

July 17.

October.

1 O'Callaghan, Documents, &c., III. 120.

2 Conn. Rec., II. 43–45.

3 The letter is in the collection of "Winthrop Papers," in Mass. Hist. Coll., XXX. 63.

4 Mass. Archives, II. 184. If I do not misunderstand the tone of this brief paper, it bears traces of the ill-humor of Massachusetts at the recent dealings of Connecticut with New Haven and with the Royal Commissioners.

with the government of Massachusetts.[1] The want of a colonial navy was considered; "the difficulty of passing so long a march over land," through "a mountainous wilderness," uninhabited, or inhabited by "barbarous heathen, treacherous, and many of them unknown to the English and acquainted with the French"; and finally the lateness of the season, leaving scant time for preparations before another obstacle would be presented by the cold and snow. Accordingly, the result was a "unanimous apprehension that at present there could be nothing done by the Colonies in reducing those places at or about Canada";[2] and before the plan could be resumed, a treaty for peace between the European powers was already far advanced.

Ecclesiastical controversy in Connecticut.

The dispute about baptism, which had begun in Hartford, continued to rage with special fervor in its primitive seat. Mr. Stone was succeeded in the church of that place by two ministers, Samuel Whiting and John Haynes. Whiting loved the old and strict way of the Congregational churches; Haynes and a majority of the church sympathized with the late pastor in his preference for the recent latitudinarian innovation. It was told at New Haven, "that, before the last lecture-day [at Hartford], when it was young Mr. Haynes's turn to preach, he sent three of his party to tell Mr. Whiting that, the next lecture-day, he would preach about his way of baptizing, and begin the practising of it on that day. Accordingly he preached, and water was prepared for baptism, which [Davenport supposed] was never administered in a week-day in that church before. But Mr. Whiting, as his place and duty required, testified against it, and refused to consent to it." At a church meeting which now followed, Mr. Warham, of Windsor,

1666. June.

[1] Danforth Papers, in Mass. Hist. Coll., XVIII. 101, 102, 108; see above, Vol. II. p. 630.

[2] Letter of the General Court to Secretary Morrice, in Mass. Arch., CVI. 166.

the only survivor of the original ministers of the Colony, was present, and began to speak on Mr. Whiting's side; but the church considered that, not belonging to their number, he could not take a part in their debate. Mr. Haynes then proposed to discuss the questions publicly with his colleague on the next lecture-day.[1]

Mr. Street, Davenport's colleague, suggested the calling of another Synod. The project, so specious and so profitless, was entertained by the General Court. It resolved to convoke such an assembly, to be composed of all the ministers of the Colony, and of four ministers from Massachusetts, namely, Mr. Mitchell, Mr. Browne, Mr. Sherman, and Mr. Glover; and by it certain questions, seventeen in number, were to be "publicly disputed to an issue." The tenor of the questions exhibits a still advancing liberality of sentiment. Even a claim of towns to have a concurrent voice with their respective churches in the election of a minister was admitted to discussion before this new tribunal.[2] Oct. 11.

The Court convoked this assembly under the name of a *Synod*. As the appointed time approached for the meeting, it seems that some displeasure against this designation was manifested; for "upon consideration the Court saw cause to vary that title, and to style them an *Assembly*."[3] The difficulty — which probably arose out of objections to committing a business of general concern to the ministers of a single Colony — was not removed yet, nor yet did the Synod meet.[4] The attention of the Federal Commissioners was turned to the subject, and 1667. May 9. September.

1 Letter of Davenport to Winthrop, June 14, 1666, in Mass. Hist. Coll., XXX. 61. Davenport was extremely disturbed by these transactions.

2 Conn. Rec., II. 53–55.

3 Ibid., 67.

4 Trumbull (Hist., I. 457) says that the members had a private meeting, and adjourned; but he adds, that they did not come together again at the time appointed.

they expressed their judgment that, whenever there was occasion for the convocation of an ecclesiastical synod, it ought to consist of "messengers of the churches, called indifferently out of all the United Colonies by an orderly agreement of the several General Courts, and the place of meeting to be at or near Boston."[1]

This amendment of the scheme on foot was recommended in a memorial from Warham, Whiting, and their friend, Samuel Hooker, of Farmington, who well understood that the theory to which they were pledged would have much more effective support from Massachusetts than from Connecticut. The Court acceded to their request,[2] and made a proposal accordingly to the government of Massachusetts, which replied, that it was not prepared to act upon the measure, for want of being informed of the special matters to be referred to the Synod now proposed.[3]

Oct. 10.

Oct. 16.

Connecticut judiciously concluded to proceed alone in her ecclesiastical arrangements. She appointed a committee "to consider of some expedient for peace, by searching out the rule, and thereby clearing up how far the churches and people might walk together within themselves, and one with another, in the fellowship and order of the Gospel, notwithstanding some various apprehensions among them in matters of discipline respecting membership and baptism, &c."[4] On the report of this committee the Court showed good sense and good temper by publishing its purpose that the dissenting parties alike should "have allowance of their persuasion and profession in church ways or assemblies without disturbance."[5] The

1668. May 14.

1669. May 13.

1 Records, &c., in Hazard, II. 106.

2 Conn. Rec., II. 70.

3 Ibid., 516, 517. Again the letter of Massachusetts betrays disapprobation of Connecticut for her recent isolation of herself from her old partners.

4 Ibid., 84.

5 Ibid., 109; comp. 107.

church of Hartford was directed to "take some effectual course" that Mr. Whiting and his friends "might practise the Congregational way without disturbance either from preaching or practice diversely to their just offence, or else to grant their loving consent to these brethren to walk distinct, according to such their Congregational principles." This measure was not unanimously approved. Four Magistrates and fourteen Deputies voted against it.[1] Mr. Whiting and his friends took advantage of it to set up a second church in Hartford.[2] Hitherto no other New England town except Boston had had more than one.

Oct. 14.

1670. Feb. 12.

While the question of a new confederation was pending, the ancient controversy respecting the line between Connecticut and Massachusetts was revived. The General Court of the former Colony having remonstrated with the latter against "their laying out of the lands so near Windsor" on Connecticut River,[3] an arrangement was made by which Massachusetts so far waived her alleged rights as to consent to an addition of some miles of territory lying within her border to the adjoining Connecticut town.[4]

Settlement of the boundary between Massachusetts and Connecticut. 1671. May 11.

The capture of New York by the Dutch fleet alarmed the neighboring English settlements.[5] Those towns on Long Island which were nearest submitted to the invaders; but the plantations at the eastern end of that island, which before the prov-

Quarrel between Connecticut and the Dutch.

1 Conn. Rec., II. 120.

2 Trumbull, Hist. Conn., I. 462, 463. On the other hand, at Windsor a party of dissentients from the strict views of their pastor, Mr. Warham, took advantage of the Court's order of toleration, and, in the month after the gathering of the Second Church of Hartford, "Mr. Benjamin Woodbridge was ordained minister of the Presbyterian party (as they are called) of Windsor." (Journal of Simon Bradstreet, Jr., in New England Hist. and Geneal. Reg., IX. 45; comp. Conn. Rec., II. 85.) "Quorsum hæc?" Bradstreet asks. — Woodbridge of Hartford is not to be confounded with his brother of Killingworth. They were on opposite sides. See above, p. 84.

3 Conn. Rec., II. 156.

4 Ibid., 554–556.

5 See above, p. 34.

ince of the Duke of York was created had belonged to Connecticut, now refused to surrender themselves, and desired to be again annexed to that Colony. After the departure of the fleet, some small Dutch cruisers infested the Sound, and captured vessels belonging to the English.[1] Thereupon Governor Winthrop convoked his General Court, who raised a committee, consisting of the Magistrates and six Deputies, with plenary powers "to manage, order, and dispose of the militia of the Colony." They directed a levy of five hundred dragoons, and appointed officers for the force which might be drafted for foreign service.[2]

1673. Aug. 7.

By their order, John Allyn, as Colonial Secretary, wrote to the Dutch commander at New York, remonstrating against his proceedings, and acquainting him that "the United Colonies of New England were by their royal sovereign Charles the Second made keepers of his subjects' liberties in these parts, and did hope to acquit themselves in that trust, through the assistance of Almighty God, for the preservation of his Majesty's Colonies in New England." The Dutchmen answered coolly, that they were "sent forth by the High and Mighty Lords, the States General of the United Netherlands, and his Serene Highness, the Lord Prince of Orange, to do all manner of damage unto the enemies of the said High and Mighty Lords, both by water and by land." They courteously added, that they "did well believe that those that were

Aug. 7.

Aug 24.

[1] Hitherto the Dutch had been very forbearing to the New-Englanders, especially considering that Massachusetts, immediately after the King's declaration of war, deviating from her ancient practice of silence on such occasions, had ordered it (May, 1672) to "be published by the marshal-general in the three usual places in Boston, by sound of trumpet." (Mass. Rec., IV. (ii.) 517.) I imagine the reason of this forbearance on the part of the Dutch to have been, that their High Mightinesses had not relinquished the hope that, in the progress of events, New England might ally itself with them.

[2] Conn. Rec., II. 204 – 206.

set for keepers of his Majesty of England's subjects would quit themselves as they ought to do, for the preservation of the Colonies in New England; however, they should not for that depart from their firm resolutions." [1]

In so uncomfortable a posture of affairs, the government of Connecticut considered it to be prudent to convoke a special meeting of the Federal Commissioners, who accordingly came together at Hartford. They expressed their approbation of the course which had been taken, and the readiness of their respective governments to furnish such military aid as might be needed; and they recommended to each General Court "that sufficient orders should be given, and all due and effectual care be forthwith taken, for provision of all manner of ammunition, men, and means of defence, that there might be no disappointment of aid to any one of the Colonies which might be first invaded." [2]

Meeting of the Federal Commissioners. Aug. 27.

The Magistrates and Deputies of Massachusetts were summoned to meet in General Court. They were not well satisfied that there was sufficient occasion for calling them away from their homes at so busy a season of the year; and, "the affairs upon which the Court was convened having been represented to them and seriously weighed, with the letters received from the other two Colonies touching the matter," they "did declare that at present they did not judge it expedient at this season to engage in the concerns thereof, further than the making provision for their own safety"; [3] for which purpose

Proceedings of Massachusetts respecting the Dutch. Sept. 19.

1 O'Callaghan, Documents, &c., II. 572, 583 – 586, 601.

2 Hazard's edition of the Records of the Commissioners contains no account of this meeting. The defect is supplied by Mr. Trumbull from the Connecticut MS. in "Extracts from the Records," &c., appended to his edition of the Colonial Records. (III. 486 – 489.)

3 Mass. Rec., IV. (ii.) 561; comp Mass. Arch., LXVII. 60. Connecticut, naturally displeased with this in-

they directed an importation of sixty pieces of artillery and five hundred firelocks.[1] Further news from Connecticut, however, brought them to a more prudent or a more generous way of thinking; and at another special meeting, they "judged and declared that God did call them to do something in a hostile way for their own defence." They accordingly gave orders for the repair of the fortifications at Boston, Charlestown, Salem, and Portsmouth; placed a force of five hundred and fifty foot soldiers and a hundred and ten horse under the command of Major-General Denison; and commissioned two armed vessels, one carrying twelve guns, the other carrying eight, "for the vindication of the honor and reputation of themselves and nation, to secure their peaceable trade in the Sound," and "to repress the insolence of the Dutch."[2] Yet there was no alacrity to take an active part in so unjust and impolitic a war. "Our friends," was the language of the order, "by such an appearance will be comforted, and we hope the enemies discouraged, and yet ourselves and confederates not any more engaged than we are at present."[3] It may be

Dec. 10.

1674. March 11.

action, expressed as much in a letter of October 17th. The reply of Massachusetts, October 24th, was in a tone of recrimination, unusually testy. (Conn. Rec., II. 563, 564.)

[1] The great guns were to be obtained at Bilbao; the muskets, in England. (Mass. Arch., LXVII. 84, 85.)

I am sensible that here I am on uncertain ground; but I cannot avoid the surmise, that they who moved Massachusetts to buy sixty pieces of cannon were thinking less of the war with the Dutch, than of a possible need of defence against England.

[2] Mass. Rec., IV. (ii.) 572, 573, 576, 577. "The first regular cruisers employed by the American colonists." (Cooper, History of the Navy, &c., 18.)

[3] Before they despatched their cruisers, the Magistrates had been deliberating nine months on this question of arming against the Dutch (Mass. Arch. LXI. 6–9); and it was not dismissed for some months later. (Ibid., LXVII. 172–197.) Plymouth resolutely refused to take part in the movement, possibly influenced in some degree by memories of the hospitality of Leyden. (Letter of Governor Winslow to Governor Winthrop, April 27, 1674, in Mass. Arch., LXI. 50.) — "During the continuance of the war with the Dutch nation, our country

believed that an abatement from the power of the Popish brother of the King was no subject of regret to the General Court of Massachusetts.

A second letter had been addressed by Allyn, in the name of his government, to the commander at New York, composed in a warmer strain than that which had opened their correspondence. "You may be assured," he wrote, "if you proceed in provocations to constrain the rising of the English Colonies, they will not make it their work to tamper with your peasants about swearing [that is, taking the oath of allegiance], but deal with your head-quarters."[1] The messenger who bore this letter, after being "detained under restraint" a fortnight at New Amsterdam, brought back a reply from Anthony Colve, the Governor there, addressed to Winthrop. Colve wrote that he had received "a certain unsealed paper, signed by one John Allyn, qualifying himself Secretary, and written by order of the Governor and General Court of Connecticut." He said he "could not believe that such an impertinent and absurd writing emanated from persons bearing the name of Governor and General Court, therefore had he deemed it unworthy any answer."[2] The messenger reported that Colve was "a

1673. Oct. 21.

Nov. 5.

hath lost very many vessels and a very considerable estate; being taken by the Dutch in all parts where we trade or are going to the ports of our traffic. They make no difference between New England and Old. ..... The Dutch of New York went beyond us in statecraft. They had taken several of our vessels; and here were some of theirs stayed, though not feared. But they, by a flourishing promise to set ours free in case theirs were released; which we attended, but they kept all ours." (Hull, Diary, in Archæol. Amer., IV. 237.)

[1] Conn. Rec., II. 565.

[2] O'Callaghan, Documents, &c., II. 648 – 652, 660; comp. the "Southampton Declaration," in Mass. Hist. Coll., XXX. 86 – 88. — October 28, four small vessels of New England, taken by a Dutch cruiser, were carried in to New York. The Dutch Governor released their captains, and sent them to Governor Leverett with a request that he would discharge the crew of a Dutch armed vessel, which had been captured and taken to Boston. This was done. (O'Callaghan, Documents, &c., 662 – 664, 667, 668.)

man of resolute spirit and passionate," and that he had boasted that he "knew not but he might have Hartford erelong."

The Dutch were now making an attempt to execute their threats in respect to the English towns on Long Island. In the Sound, Evertsen's ship, conveying three commissioners charged with this business, fell in with a vessel from New London, in which were Fitz-John Winthrop, son of the Governor, and Mr. Wyllys, a Magistrate of Connecticut. These gentlemen produced a copy of a commission from the Magistrates of their Colony, directing them to repair to Long Island, "and treat with such forces as there they should meet, and do their endeavor to divert them from using any hostility against the said people, and from imposing upon them; letting them know, if they did proceed notwithstanding, it would provoke them [the government of Connecticut] to a due consideration what they were nextly obliged to do."

Operations of the Dutch in the Sound.

Nov. 6.

Oct. 22.

The two parties of commissioners landed separately at Southhold. The people of that village were found under arms, and, being questioned as to their intentions, unanimously rejected the demand of the Dutch commissioners. Some inhabitants of Southampton were also present, one of whom, pointing to the flag of the Prince of Orange, said to the commissioners, "Rest satisfied that I warn you, and take care that you come not with that thing within range of shot of our village." Winthrop asked the Dutchmen whither they intended to go next, assuring them that he and his associate would make the same journey at the same time. Hereupon they "resolved not to visit the other two villages. We clearly perceived," so they wrote in their Journal, "that we should be unable to effect anything, and rather do more harm than good";

Nov. 7.

and the next day they set sail on their return to New York.[1] The Magistrates of Connecticut again wrote to Massachusetts, communicating various particulars of disagreeable intelligence, among which one was that a Dutch ship of eight guns had been seen steering towards New York, with four other vessels, her prizes;[2] and they followed up their representation by despatching a special messenger "to treat with the gentlemen in the Massachusetts about the framing an expedition against the Dutch."[3] This was doubtless the immediate occasion of the arming in Massachusetts, which has been mentioned.[4]

Nov. 21.

Nov. 26.

Governor Winthrop wrote to the Magistrates, advising that a force should be sent to defend the island towns against a repetition of the attempt which had been defeated, and a party under the command of Fitz-John Winthrop was accordingly sent over to Southhold.[5] He had scarcely arrived, when intelligence came that four Dutch vessels, bound for that place, were lying at New York, waiting for a wind. He made his dispositions accordingly, and called reinforcements from the two neighboring English settlements. The vessels appeared, and their commander sent in a summons, threatening extermination "with fire and sword" if a surrender was refused. A refusal was returned; a few shots were exchanged between the vessels and

1674. February.

1 "Journal kept on board the Frigate named the *Zee-hond*," &c., in O'Callaghan, Documents, &c., II. 654 – 658.

2 Conn. Rec., II. 566.

3 Ibid., 216.

4 See above, p. 122.

5 "'The Committee of the General Court being met in Hartford, this 13th of November, 1673, have considered the petition of the people of Long Island, and granted their desires, and appointed and empowered Captain John Winthrop to be Sergeant-Major over the military forces of his Majesty's subjects on Long Island, and do hereby commissionate him accordingly.' Extracted out of the records. *Per me*, John Allyn, Secretary." Mr. Trumbull informs me that these lines, on a loose scrap of paper in the Library of the Connecticut Historical Society, constitute the only record he has found of Fitz-John Winthrop's commission.

the town, without injury on either side; and the squadron "presently weighed and set sail" on its homeward course.[1] A further repetition of the attempt continued to be feared, but none took place.[2] Probably the result of another attack was regarded as uncertain; the Dutch commander could not afford to risk many men; the object was not of considerable importance; and it was said that there was, for some reason, "a great damp, at present, upon most of the spirits of the enemy at New York."[3]

Intelligence of the peace of Westminster. May 7.

The further prosecution of these obscure hostilities was soon obstructed by the arrival of the news of the treaty of peace between the parent countries.[4] That article which stipulated a mutual restitution of conquered places occasioned at New York a paroxysm of "distracted rage and passion." The "town's inhabitants . . . . . cried, 'We 'll fire the town, pluck down the fortifications, and tear out the Governor's throat.'" They "belched forth their curses

1 Captain Winthrop's report of the expedition, in Mass. Hist. Coll., XXX. 91 – 95.

2 Letter of Matthias Nicolls, dated at Stratford, March 16th, 1674. (Ibid., 100.) Nicolls was afterwards Secretary of the English government at New York. (Ibid., 110.)

3 The letters of Governor Leverett and Secretary Rawson at this time to the government of Connecticut are instructive. (Ibid., 96 – 98, 100 – 102.) Leverett was uncomfortably situated. Individually he was anxious to satisfy the "just expectation and desire" of the Connecticut people, but his Colony still felt resentful for the recent conduct of Connecticut in relation to New Haven, to the Royal Commissioners, and to the forming of a new Confederacy. Leverett intimates the topics of the deliberations which had taken place before the General Court determined to help Connecticut, and suggests the terms on which mutual confidence might be renewed: "After many agitations and considerations of our present state, ... and confidence and assurance of your compliance with us according to our articles, and your last invitations and encouragements," &c. (Ibid., 97.)

For the benefit of one class of readers, I mention that the first Election Sermon in Connecticut given to the press was that preached this year by the Reverend James Fitch. (Conn. Rec., II. 222.)

4 "Yesterday arrived a vessel from Scotland; had a month's passage; brings news of the confirmation of peace." (Letter of Leverett to Winthrop, of May 8th, 1674. Mass. Hist. Coll., XXX. 104.)

and execrations against the Prince of Orange and States of Holland, the Dutch admirals, and their taskmaster, the Governor, saying they will not on demand, and by the authority of the States or Prince, surrender, but keep up by fighting so long as they can stand on one leg, and fight with one hand." The Governor imprisoned the bearer of the news in "the dungeon in the fort, with warning to fit and prepare himself for death, for in two days he should die,"[1] and, in a more comprehensive indulgence of his displeasure, he proceeded to confiscate all the goods and effects of English colonists found within his jurisdiction, "together with the outstanding debts remaining" due to them.[2] Three New-England vessels, brought in to New York by Dutch cruisers, were condemned as lawful prize.[3]

May 12.

May 26.

The choleric Governor had scarcely had time to recover himself sufficiently to retract his sentence of confiscation,[4] when orders reached him from their High Mightinesses, his masters, "for the evacuation of the forts, and the restitution of that country to the order of the King of Great Britain."[5] Four months afterwards an English squadron entered the harbor of New York, conveying Major Edmund Andros, who proceeded to take possession of the province anew, as Lieutenant of the Duke of York."[6]

June 28. Restoration of New Amsterdam to England.

July 7.

Governor Andros.

Nov. 1.

Nov. 10.

1 Letter of John Sharpe to Governor Winthrop, of May 12, 1674. (Mass. Hist. Coll., XXX. 108–110.)

2 O'Callaghan, Documents, &c., II. 710.

3 Ibid., 715.

4 Ibid., 726.

5 Ibid., 730.

6 Andros's commission and instructions, and certain commissions and instructions to his subordinates, are in O'Callaghan, Documents, &c., III. 215–224.

Edmund Andros was now thirty-seven years old, having been born December 6th, 1637, the descendant of a family which possessed some property in the island of Guernsey. He was brought up as a page in the royal family; served, during its exile, in the army of Prince Henry of Nassau; and was attached to the household of the

By messages and correspondence some civilities passed between the new Governor and Winthrop.[1] The Duke, on the recovery of his province from the Dutch,

June 29. had taken out a new patent, which established the boundaries as they were originally defined,[2] and accordingly Andros's commission gave him ju-

July 1. risdiction over the country extending "from the west side of Connecticut River to the east side of Delaware Bay."[3] After being settled in his government, he did not long delay to assert this claim.

His claim to territory of Connecticut. 1675. He sent copies of his master's patent and of his commission to the General Court of Con-

May 1. necticut, and formally demanded the surrender of all that portion of the property alleged to belong to the Duke which was now held by the Colony.[4]

May 17. The General Court replied, that the question thus raised had been authoritatively settled by the Royal Commissioners ten years before; that they had "no power to dispose of any of his Majesty's plantations or subjects in any other way than was appointed by his sacred Majesty in his gracious charter"; and that, "according to their obliged duty, they were firmly resolved, as hitherto, by the gracious assistance of Almighty God, to continue in obedience to his Majesty in the management of what they were betrusted with."[5]

Princess Palatine, grandmother of George the First. After the restoration he gained some distinction in the first war against the Dutch, and in 1672, having meanwhile married an heiress, was made major of a regiment of dragoons. This was the highest promotion he had reached before he came to New York as the Duke's lieutenant, except that the proprietors of Carolina had comprehended him in their magnificent scheme by making him a Landgrave with an endowment of four baronies of 12,000 acres of land each, — four castles in Spain. (O'Callaghan, Documents, &c., II. 740, 741.)

[1] Mass. Hist. Coll., XXX. 112, 114, 115, 116.

[2] See above, Vol. II. p. 580. I do not know that the Duke's second patent is in print. There is a MS. copy of it, certified by Andros, in the Connecticut Archives, "Colonial Boundaries," II. 23.

[3] O'Callaghan, Documents, &c., 215.

[4] Conn. Rec., II. 569.

[5] See above, Vol. II. p. 595; Conn. Rec., II. 252, 570.

Three or four other letters followed, two of which are preserved. They raised no new issues, and were probably intended rather as *manifestos*, to take effect in other quarters, than as arguments for the conviction of those to whom they were addressed.[1] June. Intelligence having reached Connecticut of disorders of some Indians beyond the eastern border of that Colony, a messenger was sent to communicate it to Andros. July 1. The incident was turned by him to an unexpected use. He replied, that he was "very much troubled at the Christians' misfortunes and hard disasters in those parts, being so overpowered by such heathen," July 4. and that accordingly, accompanied by a force which should enable him "to take such resolutions as might be fit for him upon this extraordinary occasion," he "intended, God willing, to set out this evening, and to make the best of his way to Connecticut River, his Royal Highness's bounds there."[2]

It behooved the government of Connecticut to attend to the reception of their unwelcome visitor. In all haste the Magistrates sent Captain Bull, of Hartford, with a hundred men, to occupy the fort at Saybrook.[3] The General Court, coming together, approved this proceeding, and unanimously adopted a resolve, protesting against "Major Andros's challenge and attempts to surprise the main fort of the Colony," "as also against all his aiders and abettors, as disturbers of the public peace of his Majesty's good subjects," and engaging themselves to "use their utmost power and endeavor (expecting therein the as-

Preparations of Connecticut. July 9.

1 Conn. Rec., II. 571 – 574.

2 Ibid., II. 579.

3 The Reverend Joseph Haynes, of Hartford, and Mr. Gershom Bulkely were sent with this force, perhaps as chaplain and surgeon, but probably also as advisers of the commander in what the Court well understood to be a critical emergency. (Ibid., II. 582.)

sistance of Almighty God) to defend the good people of the Colony from the said Major Andros's attempts."[1]

Andros was as good as his word. Four days after writing his letter, he arrived at the mouth of the river, with two small vessels.[2] Thence he wrote to the Magistrates at Hartford, informing them that, finding no occasion for his intervention in respect to the Indians, he desired their "direct and effectual answer" to his former demand, and that he should wait for it "in discharge of his duty accordingly."[3] Bull had reached Saybrook a few hours before him, and was in the fort. He had been instructed to inform Major Andros that the force from New York might act advantageously against the Indians at the head of Narragansett Bay. He was to allow Andros's people to land for refeshment, but they were to come unarmed, and to make their visit short. He was "to keep the King's colors standing, under his Majesty's Lieutenant, the Governor of Connecticut," and to permit the raising of no others. He was "to avoid striking the first blow; but, if they began, he was to defend himself, and do his best to secure his Majesty's interest and the peace of the whole Colony."[4]

Governor Andros at Saybrook.

July 8.

In reply to Andros's letter, the General Court of Connecticut sent another exposition of their rights and their purpose.[5] At an early hour of the day after this reached him, he landed with a party, and at his request was met on the river's bank by the officers of the garrison. "In his Majesty's name," he "commanded his Majesty's charter [the Duke's patent] to be read, and after that his Highness's commission, which, notwithstanding that they were required in his Majesty's name to forbear,

July 10.

July 13.

1 Conn. Rec., II. 262.
2 Ibid., 580.
3 Ibid., 579.
4 Ibid., 334.
5 Ibid., 580; comp. 26.

was done." The Connecticut officers, during this ceremony, "withdrew a little, declaring they had nothing to do to attend it." Andros then said that he should proceed no further, and should set sail immediately, unless he was desired to stay. The officers told him that they "had no order to desire him to stay, but must now read something else; and forthwith the protest was read in Major Andros's and his gentlemen's presence. He was pleased to speak of it as a slander, and so an ill-requital for his kindness, and by and by desired a copy, which the officers declined to give; but yet parted peaceably. His Honor was guarded with the town soldiers to the water-side, went on board, and presently fell down below the fort, with salutes on both sides."[1] The Magistrates approved, on the whole, the course that had been taken, though they would have been better pleased, had it been less forbearing. They expressed a wish that "he [Andros] had been interrupted in doing the least thing under pretence of his having anything to do to use his Majesty's name in commanding there so usurpingly, which might have been done by shouts, or sound of drum, &c., without violence."[2]

His peaceable return to New York.

[1] Ibid., 583, 584. — Probably, in making up his picturesque account of this transaction, Dr. Trumbull (Hist. Conn., I. 330) was helped by the local traditions. Following the contemporaneous report of the officers (composed by Bulkely) and the comment of the Magistrates upon it, I am obliged to omit some striking circumstances in the sketch by that usually cautious historian.

The Duke had small faith in the goodness of the claim which his Lieutenant had set up, but was inclined to give it a chance. "My opinion is," he wrote, "'t is best only to make accommodations of this kind temporary, so, if possible, to preserve the utmost limits for me that my patent gives me title to." (The Duke of York to Andros, April 6, 1675, in O'Callaghan, Documents, &c., III. 230, 231; comp. 235.) "His Royal Highness is willing things should rest as they are at present; but he is not sorry you have revived this claim, because possibly some good use may be hereafter made of it." (Sir John Werden, the Duke's Secretary, to Andros, January 28, 1676, Ibid., 236.)

[2] Conn. Rec., II. 584. — The Magistrates caused a narrative of these transactions to be drawn up, to be sent to England. (Ibid., 339–343.)

CHAPTER IV.

The alarm in Connecticut which had furnished to Governor Andros a pretext for his undesired visit to Saybrook was not causeless. A war was breaking out, which proved most costly and afflicting to the Colonists.

The reader may present to himself, with considerable distinctness, the aspect of New England at the time when this great calamity befell. Along a line of rugged coast, from the Penobscot to the Hudson, are scattered settlements of Englishmen, at unequal distances from each other, — closely grouped together about midway of that line, further apart at the extremities. Almost all of them are reached by tide water; a very few have been planted in detached spots in the interior, the most distant of these being about a hundred miles from the sea, whether measured from the east or from the south. The surrounding and intervening country is not occupied, but roamed over, by savages, whose aggregate number is not very different from that of the settlers. Some of them seem to have made some progress towards civilization, and a portion have professed to be converts to Christianity. For more than a generation there has been no war with them, though there have been occasional difficulties and quarrels. The youngest person of European parentage who has seen war on this continent is already almost too old for military service.

Condition of New England at the breaking out of Philip's War. 1675.

On the whole the system of life is much the same in the different communities of Colonists, though dis-

similarities also appear. In Maine is a rude and shiftless population, often requiring to be kept in order by external control. Rhode Island has gathered a motley people, — schemers, seekers, anarchists of every name, — habitually unsettled by disputes with their neighbors and fierce altercations among themselves. The three Confederate communities, not without some small recent intermixture of strangers invited by the prospect of gain, are almost wholly composed of religious people of the Puritan type.[1] These Colonies also have their respective peculiarities. Plymouth, with little fertile land, and no commodious harbor, makes slow progress, and continues to be poor, though the people are industrious and the government is well conducted. Unable to provide liberally for the support of religion and learning, her clergy are not eminent, nor her people, comparatively, versed in book knowledge. For the protection of her property, she covets a charter from the restored King, and by this influence the republican tone of her politics is lowered. Connecticut, grateful for the recent royal bounty, is not ill affected towards the court. Her internal administration is excellent; her leaders in church and state are accomplished; the modest thrift of her citizens affords her a sufficiency of means; and except for her chronic quarrel with Rhode Island about the boundary line, her condition is tranquil and satisfactory. Massachusetts is still more busy and thriving. In respect to her relations with the mother country she has hitherto been able on the whole to pursue with success the traditional policy; as yet she has been forced into no material concessions; her attitude towards the British court continues to be one of substantial independence; ten years have passed since she maintained

1 I have been struck by the fact that the word *Puritan* scarcely occurs in our old writings. It is used by the Magistrates of Massachusetts in a letter to Robert Boyle, in 1679. (Boyle Works, I. ccxvii.)

herself in a sharp struggle, which has not been renewed.

In the three associated Colonies, there is great similarity in the ordinary occupations and pursuits. Most adults of both sexes work hard, and nearly all the children go to school. The greater part of the men get a living by farm-labor; they provide bread and meat, milk, butter, and cheese, for their own tables, and raise stock to sell in the West Indies for money with which to buy foreign commodities. But they are not all farmers. A portion are lumberers, plying the axe through the winter in the thick pine forests, and at the return of spring floating down their rafts to a sure and profitable market. Another portion are fishermen, familiar with the haunts of the cod, the mackerel, and the whale, and with all perils of the sea. In the principal towns various classes of artisans pursue a lucrative trade. The country furnishes some staples for an advantageous foreign commerce, and, especially in Boston, not a few merchants have grown rich.

The style of social intercourse is simple and quiet, not to say austere; yet by no means, among the better sort, without its elegances and luxuries.[1] The refining

[1] As has been mentioned before (Vol. II. p. 67), few traces appear of a cultivation of music. I meet with one in a letter addressed in 1661, by Dr. Hoar, afterwards President of Harvard College, to a young nephew of his, then a student in that institution. After recommending to him to conduct all his conversation with his mates "in the Latin tongue, and that in the purest phrase of Terence and Erasmus," he proceeds: "Music I had almost forgotten. I suspect you seek it both too soon and too much. This be assured of, that, if you be not excellent at it, it is nothing at all; and, if you be excellent, it will take up so much of your time and mind, that you will be worth little else. And, when all that excellence is attained, your acquest will prove little or nothing of real profit to you, unless you intend to take up the trade of fiddling. Howbeit, hearing your mother's desires were for it, for your sisters, for whom it is more proper, and they also have more leisure to look after it, for them, I say, I had prepared the instruments desired, but I cannot now attend the sending them." (Letter of Leonard Hoar to Josiah Flint, in Mass. Hist. Coll., VI. 106.)

example of the clergyman's family is present in every village. The clergyman and his wife belong, often by birth, and necessarily by position, to the gentry of the land, and their influence is effectual from the smallness of the sphere to which it immediately extends.

In every settlement, the minister is the chief man, unless the settlement boasts also a Magistrate or Assistant, and then the minister is the Magistrate's peer. In every settlement there is a secondary aristocracy, no wise connected with birth, or money, or education. The possessors of the franchise of the Colony govern the Colony; and all other persons within it — men as much as women and children — are their wards. The freemen in each Colony are a minority of the male adults; in Massachusetts they are probably not more than one fifth part of the grown men. In Massachusetts, though of late a more lax regulation has gone partially into effect, the freemen continue almost all to be church-members. Thus the dignities at once of political and of religious superiority belong to them, investing them with a double title to observance. The small class of Magistrates commands a yet deeper reverence; and though a democratic spirit among the Deputies sometimes confronts them upon public measures, a profound personal respect never fails to be a muniment of their authority.

Once a year (twice a year in Connecticut) the inhabitants of the several towns in each Colony, especially the freemen and their families, have opportunity to cultivate acquaintances with one another. At the time of the General Court for Elections there is a press of travel towards the colonial capital. The Magistrates and Deputies of course come thither, many bringing their wives and children. The ministers make the journey; for sometimes the government desires to consult them, the affairs of the Church require their periodical

conferences, and, at all events, the day is also their own holiday. The freemen congregate in large numbers; for, though they may cast their votes in their towns, they generally desire to show themselves and exercise the right in person, and perhaps to confer with their Deputy, whom, as it is not requisite for him to be an inhabitant of their town, this may be their most convenient way of meeting. But, with the exception of these periodical occasions, people stay at home for the most part; for imperfect roads, tracts of forest, and the anxieties incident to absence when intelligence moves slowly and vagabond Indians may do mischief, are permanent discouragements from travel. The consequence is, that, on the one hand, the tie of friendship between neighbors becomes strong, and that, on the other, disagreements may grow out of a meddling supervision of each other's conduct and affairs by persons all whose social relations are with one another.

Throughout the country, habits of temperance and of general self-control, with their train of good-temper and cheerfulness, diffuse their joy in modest homes where a careful domestic economy prevents affluence from being coveted or missed. While the head of the household — farmer, fisherman, or mechanic — is helped in his labors by those of his sons who are old enough, the women spin, weave, and mend, and do the household work, during six days of the week. On Sunday all labor ceases for twenty-four hours, and all the families of the settlement join twice in long services of public worship, and pass the remainder of the day in domestic and solitary devotion and reading. At other times they have not much leisure for books, though, as has been seen, the prosperity of the trade in books shows an active demand. The state of things at this period furnishes no especially exciting topics for conversation. There is no present menace of disturbance from Eng-

land. The agitation about the Synodical question is abated. Quakers cause little apprehension, and Baptists are getting to be kindly regarded. Now and then a villager who has been at the Thursday lecture in Boston brings back news respecting the King's attitude towards Holland, or the measures of Parliament against the Duke of York, or the conjectured policy of Lord Danby, or the annoyances of English or Scottish Nonconformists. The politics of town and parish are from time to time presenting some new aspect; courtships and marriages, births and deaths, claim notice; militia training days make a recreation and a sort of festival; and all the year round, the doctrine delivered in the last Sunday's sermons is matter for thought and discourse during the week. In the marts of business, interests are more various, and social intercourse has more activity and show. But everywhere alike there is a general appearance of security, prosperity, sobriety, good order, and content.

The quiet of this time was undisturbed by any general apprehension of danger from the natives. The course of conduct pursued towards them had been praiseworthy in a singular degree.[1] The Indians were a people extremely difficult to deal with, by reason alike of their mental and of their moral defects; but they were treated equitably and generously. The reader has learned how erroneous it would be to represent the lands of Plymouth and Massachusetts as being already occupied when the English arrived. The population dwelling at that time within those territories can with little probability be supposed to have been greater than one twentieth part of the population of the city of Boston at the present day. The strangers came and found a vacant domain,

Relations of the Colonists to the natives.

1 See above, Vol. I. pp. 293, 362; comp. Archæol. Amer., III. 30 f, 30 g.

on which, without wrong or offence to any predecessors, they built and planted. Not an Indian wigwam was to be seen within miles of the spots where they set up their first cabins. They obtained no land by force, except that remote region which fell to them as the prize of conquest in the war provoked by the Pequots. When they wanted an enlargement of their borders, they acquired it, if at all, by amicable agreement with any who had earlier possession.[1] If often the prices which were paid seem small to us, they were all that the thing parted with was worth to the seller. He generally retained his rights of hunting, trapping, and fishing, and in these consisted the whole value which most of his land had to him before he received pay for it. And while all that he yielded was yielded by his free consent for an equivalent which satisfied him, he was honestly and effectively protected in the possession of whatever he was disposed to keep. No doubt, he was subject to injury from lawless people. He might be occasionally cheated and otherwise ill used, as incapable and unlucky persons are, more or less, in all times, and in every part of the world. But the shield of law was held over him with assiduous solicitude. Whoever could be proved to have wronged him was made to feel that he had a watchful guardian, severe in measures of redress. The hurtful engagements into

1 "I think I can clearly say that, before these present troubles broke out, the English did not possess one foot of land in this Colony but what was fairly obtained by honest purchase of the Indian proprietors. Nay, because some of our people are of a covetous disposition, and the Indians are in their straits easily prevailed with to part with their lands, we first made a law that none should purchase or receive of gift any land of the Indians without the knowledge and allowance of our Court. . . . . And if at any time they have brought complaints before us, they have had justice impartial and speedy, so that our own people have frequently complained that we erred on the other hand in showing them overmuch favor." (Governor Winslow to the Commissioners, May 1, 1676, in Hubbard, Narrative of the Troubles with the Indians, &c., 13; comp. Winslow's letter to the Magistrates of Massachusetts, June 21, 1675, in Mass. Arch., LXVII. 202.)

which he was most liable to be entrapped the law declared to be null from the beginning. By regulations aimed as well against negligences as against offences by which he might be made to suffer, it enforced a considerate respect for his position and his rights.[1] And special opportunities for humane and tender treatment of him were generously used.[2]

It may reasonably be believed that time would have disclosed inconsistent interests between the natives and the strangers, if, in successive generations, they had multiplied largely in each other's neighborhood. But as yet the new state of things was highly advantageous to the children of the soil. Hitherto most of what they possessed or could acquire, except what they could forthwith consume, remained worthless on their hands. Now they were large sellers in a profitable market; for all the corn they could spare, they had ready customers at hand; the skin of every fur-bearing animal they could take commanded a liberal price. Hitherto their lives had been often miserable from want, and every winter renewed a fierce struggle with famine. Now they had neighbors of methodical and frugal habits, who in the fruitful months looked forward to the season of need, and laid up stores to be then parted with in commerce or in charity. The plants, and especially the animals, introduced by the English, vastly improved the condition of the native race. Unskilful as their

1 See the systems of law on this subject in General Laws and Liberties of Massachusetts, pp. 74–78; General Laws of Connecticut, pp. 32–34; Brigham, Compact, &c., pp. 288–290. The legislation had reference at once to security from the natives and to justice and kindness towards them. Comp. Plym. Rec., III. 74, 89, 167; IV. 66, 109.

2 When the small-pox spread among the natives in 1633, "it wrought much with them, that when their own people forsook them, yet the English came daily and ministered to them. ..... Mr. Maverick of Winnisimmet, ... his wife, and servants, went daily to them, ministered to their necessities, and buried their dead, and took home many of their children. So did other of the neighbors." (Winthrop, I. 120.) "Some families spent almost their whole time with them." (Trumbull, I. 37.)

agriculture was, there was no more difficulty in raising several of the vegetables of the English garden, than in the raising of maize and beans, to which the Indian had been used. A variety of manufactured articles — blankets, leather, cutlery, and others — were brought within his reach. The introduction of horses, oxen, sheep, goats, swine, poultry, dogs, afforded him luxuries and conveniences before unknown. He was not ready, it is true, to be transformed from a hunter into a herdsman; but of this new description of property which he had now opportunity to acquire, some kinds might be cared for without any great change in his habits, while, in proportion as they commanded more of his attention, the decencies and enjoyments of his life were immensely increased. The English, for their own security, did not desire that he should get their fire-arms, and learn to use them. But he did get them, and became very skilful in their use; and the toil of his old-fashioned hunting with clumsy weapons was thus exceedingly abridged.

So erroneous is it to suppose that the native tribes of New England were harmed when civilized foreigners sat down by their side. On the contrary, they were benefited on a vast scale, in respect to the accommodations of their daily life, even supposing them still to adhere to their ancient manners and character, remaining in ignorance of the arts of civilization and of the revelations of Christianity. If they continued to be brutal savages, still they lost nothing, but, on the contrary, gained much, by the neighborhood of industrious and orderly persons of a different race, who had commodities to sell which it was for their advantage to buy; who were glad to buy what they had in plenty, without knowing how to use; who practised, and were inclined freely to impart, an infinity of methods unknown to them of obtaining security, comfort, and enjoyment.

Besides such benefits derived in the necessary course of things by the native from the English settlers, they esteemed it to be their duty to endeavor to share with him what to themselves were the priceless blessings of civilization and Christianity. The reader of these volumes is aware of the diligence and earnestness with which such endeavors were made.[1] Their apparent success, whether really greater or less within the line to which they extended, did not affect the mass of the native population. The great southern tribes — the Pokanokets (or Wampanoags), the Niantics, the Narragansetts, the Mohegans (though Uncas, their chief, was always an ally of the English) — resolutely refused to listen to the missionaries. A few converts were made among the poor remnant of the conquered race of Pequots. But the scenes of prosperous attempts at proselytism were chiefly three; — Martha's Vineyard, Cape Cod, and the country around Boston, within forty miles of that town.

The number of "praying Indians" in New England, when at the largest, was reckoned to be about four thousand; of whom eleven hundred belonged to Eliot's congregations in Massachusetts, six or seven hundred to Plymouth, fifteen hundred to Martha's Vineyard and the neighboring island of Chappequiddick, and three hundred to Nantucket. In Massachusetts there were two churches of Indians, one at Natick, the other at Hassanamisitt (Grafton); the former numbering no fewer than fifty communicants. At Martha's Vineyard there were two churches, and one at Chappequiddick. The congregations had native teachers, who, besides being schoolmasters for the children during the week, led the public devotions of the Lord's day when no English minister was present. Of the Plymouth Indians, their minister reported that one hundred and

Praying Indians. 1674.

[1] See above, Vol. II. pp. 187–199, 336–341.

forty-two could read their own language, seventy-two could write it, and nine could read English.[1]

While it seemed that such operations tended within their sphere to make closer the friendly relations between the natives and the English, more than half a century had passed since the settlement of Plymouth, and nearly forty years since the end of the only war that had taken place between the strangers and any native tribe. There had been alarms, threats, negotiations, and military demonstrations; and a watchful eye had all along been kept upon the Indians of the region between Connecticut River and Narragansett Bay. But the quarrels that arose from time to time had at some rate been pacified, and the peace had been preserved. It is not probable that the number of the natives had increased since the arrival of the English.

Pokanoket or Wampanoag Indians.

Massasoit, Sachem of the numerous tribe of Pokanokets, always maintained faithfully the treaty which he made with the Colonists of Plymouth a few months after their arrival;[2] and, on the other hand, he trusted to their alliance for defence against the Narragansetts, his neighbors on the other side of his country.

Death of Massasoit. 1660.

June 13.

Nearly forty years after that treaty, Massasoit, dying at an advanced age,[3] was succeeded by his sons, Wamsutta and Metacom, otherwise called Metacomet. Wamsutta came to the Court at Plymouth with some requests, which were readily granted. One was for leave to purchase "a small parcel of powder for the use of him and his brother; and the Court gave him, as a small gratuity, a dozen pound." Another related to a trespass on his

[1] Gookin, in Mass. Hist. Coll., I. 180–207. Gookin's treatise was finished in 1674, the year before Philip's War broke out. (See above, Vol. II. p. 338.)

[2] See above, Vol. I. p. 178.

[3] In June, 1660, Massasoit was "lately deceased." (Plym. Rec., III. 192.)

fields by some swine belonging to the inhabitants of Rehoboth. Another concerned a dispute with a Narragansett sachem about the ownership of a parcel of land. Lastly, Wamsutta was ambitious of an English name. In this matter it cost the Court nothing to gratify him, and they may be supposed to have increased his content by acquainting him with the magnificent import of their choice. They "ordered that for the future he should be called by the name of *Alexander Pokanoket;* and, desiring the same in the behalf of his brother, they named him *Philip*."[1]

Alexander Sachem of the Pokanokets.

Alexander's reign was short. Reports came to Plymouth that he was plotting with the Narragansetts, and a message was sent to him to come to the town and explain himself. He did not come, and an armed party, under Major Winslow and Major Bradford, was despatched to find him and repeat the summons. He said he had intended to obey it, but desired first to have a conference with Mr. Willett, who at the time was absent in New York. He "freely and readily, without the least hesitancy," consented to go to Plymouth, where explanations were made to the satisfaction of both parties, and the savage chief set out on his return. On the journey, however, he changed his mind, and in two or three days, turning back towards Boston, came to Major Winslow's house at Marshfield. Here he fell sick of a fever; and, being impatient to go home, he was conveyed thither carefully by water. He died a few days after his arrival, and his brother Philip became chief Sachem of the tribe.[2]

1662.

His death.

Philip, Sachem of the Pokanokets.

1 Plym. Rec., III. 192; Mather, Relation of the Troubles, &c., 70.

2 I think there can be little doubt that this account of the matter is correct, considering the testimony on which it rests. It is so related by the second John Cotton, minister of Plymouth, in a letter to his brother-in-law, Increase Mather, of Boston, and is thus introduced: "Major Bradford confi-

At the beginning of Philip's administration, if we are so to call it, some apprehensions were entertained as to the temper he was in, and he was required to repair to "the Court held at Plymouth, to make answer unto such interrogatories as should be proposed unto him, ... and to deliberate and congratulate with him about such matters as might tend to a further settlement of peace and renewal of former covenants, as he seemed to desire. . . . . After courtesy expressed on both sides, and a large and deliberate debate of particulars, he absolutely denied that he had any hand in any plot or conspiracy against the English, nor that he knew of any such contrivance against

Aug. 6.

dently assures me that, in the narrative *de Alexandro* [Hubbard's narrative, I presume, is intended, in "Narrative of the Indian Wars," &c., 9, 10] there are many mistakes; and fearing lest you should, through misinformation, print some mistakes on this subject, from his mouth I this write." (Morton, Memorial, Davis's edit., 426, 427.)

Hubbard's account is, that Winslow, having come upon the Sachem's party by surprise, and secured their arms, "demanded Alexander to go along with him before the Governor, at which message he was much appalled. But being told by the undaunted messenger, that if he stirred or refused to go he was a dead man, he was by one of his chief counsellors, in whose advice he most confided, persuaded to go along to the Governor's house. But such was the pride and height of his spirit, that the very surprisal of him raised his choler and indignation, that it put him into a fever, which, notwithstanding all possible means that could be used, seemed mortal. Whereupon entreating those that held him prisoner that he might have liberty to return home, promising to return again if he recovered, and to send his son as hostage till he could do so, on that consideration he was fairly dismissed, but died before he got half-way home." (Hubbard, Narrative, 9, 10.)

This account has got into the modern histories, where it is sometimes mentioned as one of the provocations to the war twelve years later. But the weight of contemporaneous evidence is against it. No testimony could be better than that of Major Bradford, an upright man, who personally knew the circumstances, and who carefully detailed them for the express purpose of correcting the errors of an earlier writer. It does not appear that Philip complained of ill-treatment offered to his brother, either at his own visit to Plymouth soon after, or at any other time. President Mather would have been likely to mention such a story, if it had reached him in the twelve years between the transaction alleged and the writing of his "Brief History," &c. But he alludes to nothing of the kind. Nor does the account of the proceeding in his "Relation" (70 – 72) bear out the representation of Hubbard.

them, and proffered his brother, upon the Court's demand, as an hostage to be secured until the Court could have more certainty of the truth of his defence." His offer of a hostage was declined; "it was concluded by the Court and him mutually, that the ancient covenant betwixt his predecessors and them should be continued"; and he, with five subordinate sachems, signed an instrument by which he acknowledged himself to be a subject of the King of England, and promised faithfully to observe the engagements contracted by his father and brother; to abstain from "needlessly or unjustly provoking or raising war with any of the natives"; and to "endeavor in all things to carry peaceably and inoffensively towards the English." At the same time, the Court agreed on their part to afford to Philip and his people "such friendly assistance, by advice and otherwise, as they justly might"; and to "require the English at all times to carry friendly towards them."[1]

Renewal of the treaty anciently made with Massasoit.

Five years passed away quietly.[2] At the end of that time, an Indian of Philip's tribe came to the Court at Plymouth with a charge against him of having "expressed himself, in the presence of several of his men, importing his readiness to comply with French or Dutch against the English, and so not only to recover their lands sold to the English, but enrich themselves with their goods." When questioned, Philip said that this was a calumny of Ninigret,[3] the Niantic Sachem. Both chiefs

Philip charged with hostile designs. 1667. June 5.

1 Plym. Rec., IV. 25, 26.

2 In 1665, Philip having come to Plymouth to buy a horse, the Court gave him one. (Ibid., 93.)

3 A portrait of this chief was painted for Governor Winthrop of Connecticut. A copy was in the possession of the late Mr. Grenville Winthrop, and an engraving from it is inserted in Drake's History of Boston (p. 215). The face is not unpleasing. I believe there is no other authentic portrait of an historical Indian. That of Philip in the second edition of Church's "Entertaining Passages" is a hideous fancy-piece, engraved by a journeyman of Paul Revere, the iron-master, not a century ago.

were then cited to appear before two commissioners, who were escorted by a party of horse to Rehoboth, the place appointed for the scrutiny. The Pokanoket tale-bearer, when confronted with his chief, "freely and boldly" persisted in the charge, with specifications of "time, place, and several persons, which, with divers other circumstances from other Indians and English, made the matter appear very probably true, at least as to some agitation." Philip still protested that he was guiltless, and that the story was a fabrication of his Niantic rival. At the same time he justified the Court in demanding security from him in such circumstances, and offered to surrender his arms. The offer was accepted, and further investigation was postponed to the next Court.[1]

Friendly relations restored. July 2.

To the next Court he renewed his protestations of "innocency and faithfulness to the English" with great fulness and fervor, "pleading how irrational a thing it was that he should desert his long experienced friends, the English; . . . . . expressing his great confidence that he had in that ancient league with the English, which he hoped they would still continue; professing that their withdrawing their wonted favor was little less than a death to him, gladding his enemies, grieving and weakening his friends; and so left himself and case to the Court; who, taking it into serious consideration, not willing to desert him and let him sink, though there was great probability that his tongue had been running out, yet not having such due proof as was meet, judged it better to keep a watchful eye, and still to continue terms of love and amity with him, unless something further did manifestly appear, and he to bear part of the charge." In the sequel it was agreed, that, if nothing appeared against him, he should, as formerly,

[1] Plym. Rec., IV. 151, 164–166.

be considered and treated as a friend; "that he should bear forty pound of the charge of the expedition"; that he should come to the Court whenever summoned on future occasions; and that, whenever he should be able to prove the conspiracy which he alleged to have been made against him, the Court would "give him the best advice they could, that he might have some due reparation." The arms which had been surrendered by him and his men were then restored.

Nearly four years more had passed,[1] when a new alarm spread among the settlements of Plymouth, and somehow Massachusetts interposed her good offices. Philip came to Taunton, and there, in the presence of three Boston men,[2] who had perhaps been mutually chosen as umpires, he, with four of his sachems, signed an instrument declaring that he had, "through his indiscretion and the naughtiness of his heart, violated and broken his covenant with his friends by taking up arms with evil intent against them, and that groundlessly"; that he desired "solemnly to renew his covenant with his ancient friends, ... whom he had now and at all times found kind to him"; and that he "freely engaged to resign up unto the government of New Plymouth all his English arms, to be kept by them for their security, so long as they should see reason."[3] April 10. 1671.

1 In this interval, Philip was suspected by Connecticut and Plymouth of having some treacherous dealings with Ninigret, Sachem of the Nianties. (R. I. Rec., II. 275; comp. 193, 198, 267, 269; Conn. Rec., II. 548.) But Ninigret cleared both himself and Philip from the charge. Ninigret's former transactions with the English appear to have satisfied him of the expediency of a peaceable behavior. At all events, in the war now coming on he took no part against them.

2 In this month, a sharp correspondence took place between Governor Prince and Daniel Gookin, the superintendent of the Praying Indians. (See above, Vol. II. p. 338.) Gookin thought that Prince had been pressing hard on the Indians. Prince feared that Gookin had countenanced them in being troublesome. (Mass. Hist. Coll., VI. 198–201.)

3 Hubbard, Narrative, &c., 11, 12; Mather, Relation, &c., 73. "The settlement and issue of that controversy

The Court of Elections met at Plymouth two months after the treaty at Taunton, and found continued cause for solicitude. Philip had "failed greatly in performance thereof, by secret conveying away and carrying home several guns that might and should have been then delivered"; by neglecting to give the stipulated orders to his people; and by endeavoring to make Plymouth "odious to the neighbor Colony by false reports, complaints, and suggestions." On the discovery of his bad faith and other misdemeanors, the Court declared his arms to be forfeited, and proceeded to distribute them among the towns. The Court at the same time took engagements of friendship and fidelity from several chiefs and others dwelling on and near Cape Cod; and they nominated eight persons to be associated with the Magistrates as a "Council of War."[1]

Renewed symptoms of disaffection.

June 5.

June 5.

Philip continued contumacious. The missing arms were not brought in, nor was any excuse made for the neglect. He gave offence by "insolent carriages and expressions," and by "entertaining of many strange Indians, which might portend danger." The Council of War determined it to be necessary to require him "to make his personal appearance to make his purgation," and, "in case of his refusal, ... to endeavor his reducement by force." But first, as the business "concerned all the English plantations, it was determined to state the case to the neighbor Colonies of the Massachusetts and Rhode Island; and if by their weighty advice to the contrary they were not diverted from their present determinations, to signify unto them, that, if they looked upon themselves concerned to en-

Aug. 23.

obtained and made principally by the mediation and interposed advice and council of the other two Confederate Colonies." (Records, &c., in Hazard, II. 532.) Perhaps, however, the "settlement" referred to in this quotation is that of September, and not of April, 1671.

[1] Plym. Rec., V. 63, 66, 67, 70–73.

gage in the case against a common enemy, it should be well accepted as a neighborly kindness, which they would hold themselves obliged to repay when Providence might so dispose that they had opportunity."[1]

At the time appointed by the Council, "Philip, the Sachem, appeared not, but instead thereof repaired to the Massachusetts, and made complaint to divers of the gentlemen in place there." The effect of his representations was such, that the persons whose ear he had obtained wrote to Plymouth in his behalf. "They resented not his offence so deeply"; and "they doubted whether the covenants and engagements that Philip and his predecessors had plighted would plainly import that he had subjected himself and people and country any further than as in a friendly and neighborly correspondency." At the same time they offered their assistance to Plymouth in bringing about a friendly settlement of the quarrel.[2] Sept. 13.

The proposal was accepted; and General Leverett, Mr. Danforth, and Captain Davis of Massachusetts, came to Plymouth, where, with Winthrop of Connecticut, who had joined them, they "had a fair and deliberate hearing of the controversy." The result was that "the gentlemen forenamed, taking notice of the premises, having fully heard what the said Philip could say for himself, having free liberty so to do without interruption, adjudged that he had done a great deal of wrong and injury respecting the premises, and also abused them by carrying lies and false stories unto them; and they persuaded him to make acknowledgment of his fault, and to seek for reconciliation. . . . . Such had been the wrong and damage that he had Sept. 24.

1 Ibid., 76. The reader will remember that at this time there was no Confederacy.

2 Ibid., 77.

done and procured unto the Colony as ought not to be borne without competent reparation and satisfaction. . . . . They persuaded him therefore to humble himself unto the Magistrates, and to amend his ways, if he expected peace; and that, if he went on in his refractory way, he must expect to smart for it. . . . . In fine, several propositions were drawn up and read, unto which he was left, to accept of or to reject, as he should see cause, in reference unto his entering into a new covenant, and also in reference to a way of reparation of some part of the wrong done." At length, by a formal instrument, executed "in the presence of the Court [of Plymouth] and divers of the Magistrates and other gentlemen of Massachusetts and Connecticut," he avowed "himself, his council, and his subjects" to be "subject to his Majesty the King of England, and the government of New Plymouth and their laws"; and, in sign of fealty, engaged to pay yearly a tribute of five wolves' heads, besides a hundred pounds in three years to defray the charges which he had now occasioned. He promised to make no war, and part with no lands, except with the approbation of the Governor of Plymouth, and to apply to the Governor for justice in case any difference should arise between the English and himself or his people.[1] Five of his sachems signed this paper with him.

Submission of Philip. Sept. 29.

When for more than three years the quiet thus obtained had been unbroken, of a sudden "the Governor of Plymouth was informed by Sausaman, a faithful Indian, that the said Philip was undoubtedly endeavoring to raise new troubles, and was endeavoring to engage all the sachems round about in a war; some of the English, also, that lived near the said sachem, communicated their fears and jealousies

Charges of Sausaman against Philip. 1674.

[1] Plym. Rec., V. 76–80; Mather, Relation, &c., 73.

concurrent with what the Indian had informed."[1] Sausaman was a "praying Indian," who could write as well as speak English, and had been employed as a schoolmaster at Natick.[2] Getting into some trouble there, he betook himself to the Pokanoket country, and was employed by Philip to write for him, when he had occasion for that kind of service. After a while Sausaman returned to Natick, where he received baptism, and officiated as a preacher. On a visit to his old friends of Philip's tribe, he observed the suspicious proceedings which he made known to the Governor of Plymouth. "Many concurrent testimonies from others" corroborated his story. What he had seen he related under an assurance that the source of the information should be concealed, "adding also, that, if it were known that he revealed it, he knew they would presently kill him."[3]

[1] Records, &c., in Hazard, II. 532.

[2] Sausaman was "brought up in the College at Cambridge." ("The Present State of New England with respect to the Indian War," 3. This tract is the earliest of four, which were written in America during Philip's war, and published in London, and which are to be found in a thin folio volume in the Library of Harvard College. "The Present State of New England," &c., carries the story down to November 10, 1675; the second tract in the series, "A Continuation of the State of New England," &c., continues it to February 8, 1676; the third, "A New and Further Narrative of the State of New England," &c., relates the transactions "from March till August, 1676"; the fourth purports to be "A True Account of the most Considerable Occurrences," &c., "from the fifth of May, 1676, to the fourth of August" of the same year. The first three (New and Further Narrative, &c., 1), and perhaps the fourth (True Account, &c., 1), were productions of the same author, who was "a merchant of Boston." They contain many unquestionable errors, and President Mather (History of the War, &c., Preface), referring to the first of them, speaks of "the abounding mistakes therein," which he says led him to compose his own treatise. But sometimes they preserve public acts, and they are especially worthy of attention for their record of the wandering rumors of the day. Mather also refers to "another narrative of this war, written by a Quaker in Rhode Island, who pretended to know the truth of things," but whose composition was "fraught with worse things than mere mistakes." (Ibid.) This Quaker piece, said on its title-page to have come from Rhode Island to London, may have been "The War in New England visibly ended," &c., in two pages, folio, which, with the four other tracts that have been mentioned, was reprinted in 1836 by S. G. Drake, in a little volume entitled "The Old Indian Chronicle.")

[3] Hubbard, Narrative, &c., 14, 15.

Philip, hearing that the Governor of Plymouth had received intelligence to his disadvantage, and would probably send for him to appear at the next Court, resolved to anticipate that step; and, coming of his own accord to Plymouth before the meeting of the Court, he had a conference with the Assistants. His protestations of innocence did not satisfy them; but, "not having full proof, and hoping that the discovery so far would cause him to desist, they dismissed him friendly," with a warning "that, if they heard further concerning that matter, they might see reason to demand his arms to be delivered up for their security."[1]

1675. March.

Philip went home, and, not many days after, Sausaman disappeared. His friends, searching for him, found his hat and gun on the frozen surface of a pond in what is now the town of Middleborough. Thus attracted to the spot, they discovered his body under the ice. They dragged it out and buried it, supposing that he had been accidentally drowned. But the Governor caused it to be disinterred and examined, when marks of violence appeared, such as left no doubt that the man had been murdered. The crime was traced to three Indians, who were presently arrested and tried.[2] The Court directed "that, together with the English jury, some of the most indifferentest, gravest, and sage Indians should be admitted to be with the jury, and to help to consult and advise with, of, and concerning the premises." An Indian testified "that by accident, standing unseen upon a hill, he had seen them [the prisoners] murdering

Murder of Sausaman. June 1.

1 Records, &c., in Hazard, II. 533.

2 The indictment charged that they "did with joint consent [January 29], at a place called Assowamsett Pond, wilfully and of set purpose, and of malice aforethought, and by force of arms, murder John Sausaman, another Indian, by laying violent hands on him and striking him, or twisting his neck, until he was dead; and, to hide and conceal this their said murder, at the time and place aforesaid, did cast his dead body through a hole of the ice into the said pond."

the said Sausaman, but durst never reveal it for fear of losing his own life likewise, until he was called to the Court at Plymouth, or before the Governor, when he plainly confessed what he had seen." On this evidence, confirmed by "other remarkable circumstances," the murderers were convicted, and sentenced to die, the Indian assessors, six in number, fully concurring with the jury in their verdict. Two of the convicts were hanged, and one, having "on some considerations" been reprieved for two or three weeks, was shot. One of them confessed that he had stood by, while the other two committed the crime.[1]

June 8.

"A little before the Court" met at which the trial took place, "Philip began to keep his men in arms about him, and to gather strangers unto him, and to march about in arms towards the

Hostile preparations of Philip.

1 Plym. Rec., V. 167, 168; Increase Mather, Brief History of the War, &c., 2. — Some circumstances, as the nature of the testimony and the confession, I receive from Hubbard (Narrative, &c., 15), who probably had good information. But it is too certain that his unsupported statements are not always to be taken without allowance. Sometimes a person enjoys with his contemporaries a high reputation, which posterity is unable to account for. One of these pet reputations was Hubbard's. When the Presidency of Harvard College was vacant, in 1684, the Corporation paid him the compliment of inviting him to preside at the Commencement, though Increase Mather was at hand. The General Court made him a grant for writing a History of New England, which down to the year 1648, at which time Winthrop's narrative closes, is little else than a copy from that work, and for the later years is good for nothing. Eliot (Biographical Dictionary, Art. *Hubbard*) found that the old people of Ipswich "had no impressions made upon their minds of the character of Mr. Hubbard," though they had heard from their fathers a great deal about his predecessors in that church. Hubbard took no generous part in the great political struggles of his time; and the tone, in that part of his "History of New England" in which anything can be called his own, is feeble, courtly, and timid, as is also the tone of his Election Sermon in 1676. Still his "Narrative of the Troubles with the Indians" must be regarded as a good authority in respect to the events of Philip's war. It is attested as such, in a sort of *imprimatur*, by Bradstreet, Denison, and Dudley, who were deputed by the Magistrates to examine it. Ipswich, of which town Hubbard was minister, was during the war one of the centres of intelligence, and several of the officers (Appleton, Lothrop, and others), and many of the troops who did good service, were members of his church.

upper end of the neck on which he lived, and near to the English houses." The neck on which Philip lived was that beautiful peninsular range of hills, twelve miles long, called *Mount Hope*,[1] and now belonging to the town of Bristol, which the traveller from Boston to New York by Fall River sees on his right hand as he passes down Taunton River into Narragansett Bay. Philip's movements were observed; but it was thought prudent to take "as yet no further notice than only to order a military watch in all the adjacent towns, hoping that, Philip finding himself not likely to be arraigned by order of the said Court, the present cloud might blow over, as some others of like nature had done before."[2]

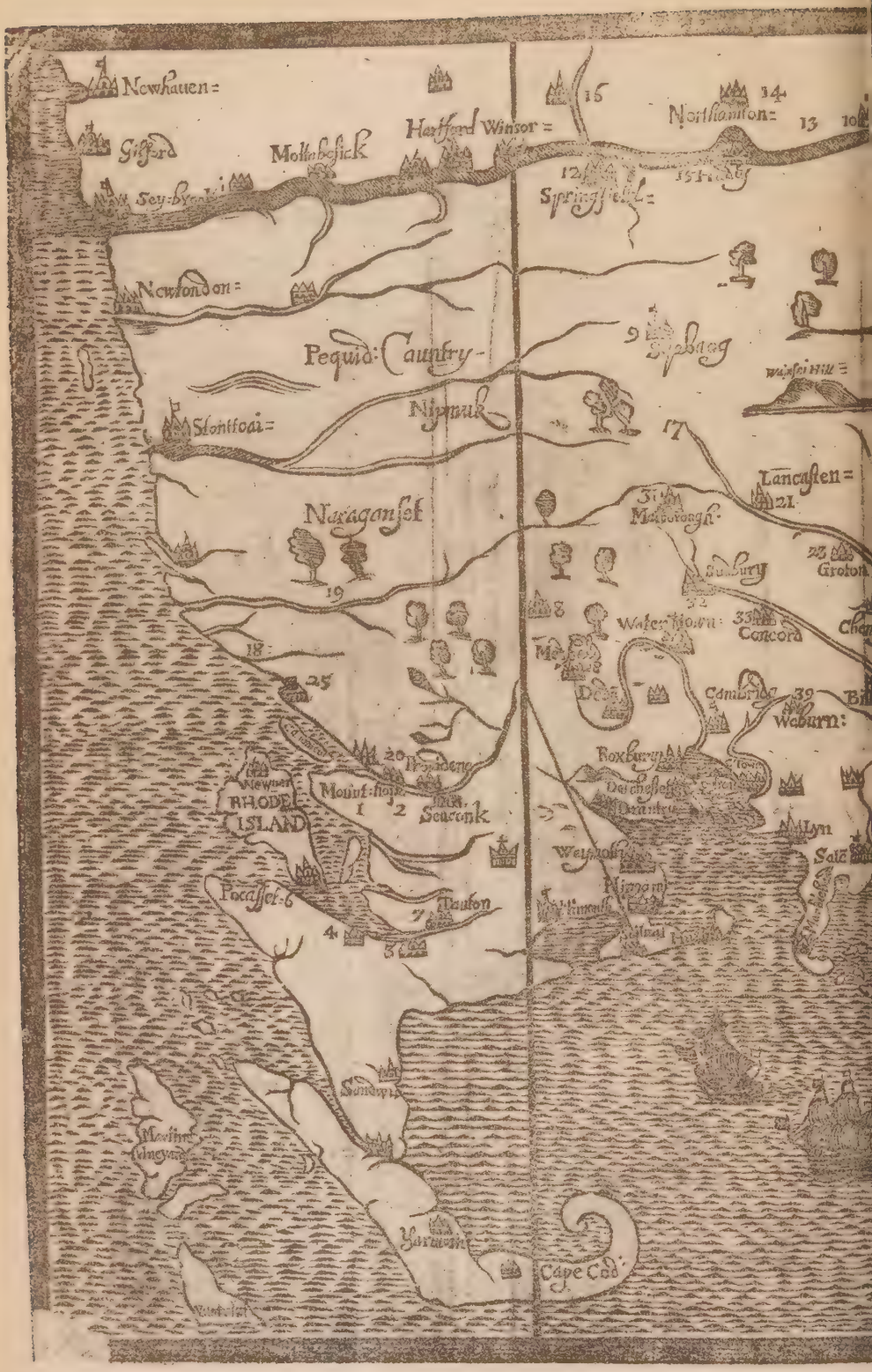
But no sooner was the Court dissolved, than intelligence came to Plymouth from Swanzey to the effect "that Philip and his men continued constantly in arms, many strange Indians from several places flocked in to him, and that they sent away their wives to Narragansett"; that they "were giving frequent alarums by drums and guns in the night, and invaded the passage towards Plymouth; and that their young Indians were earnest for a war." The Magistrates "wrote an amicable, friendly letter to Philip, ... advising him to dismiss his strange Indians, and command his own men to fall quietly to their business, ... and not to suffer himself to be abused by reports concerning them, who intended him no wrong nor hurt." But the messenger obtained no answer.[3]

June 14.

1 It is not certain whether this name should be written thus, as English, or *Montaup*, as Indian. A learned friend, to whom I am often indebted for knowledge not elsewhere to be had, and who has read Eliot's Indian Bible, which it is commonly said no man living has the skill to do, informs me that *Ontup* [or *Ontaup*] means a *headland*, or bold promontory. This fact favors the Indian derivation. But, on the other hand, the records of all the four Colonies, as well as most, if not all, of the other old writings, use the name *Mount Hope*.

2 Hubbard, Narrative, &c., 16.

3 Records, &c., in Hazard, II. 533.


Newhauen
Gifford
Mattabesick
Hartford
Winsor
Northampton
Springfield
Sey-brook
Newfondon
Pequid Country
Nipmuk
Stonfoai
Naragansek
Lancasten
Marborough
Sudbury
Groton
Watertown
Concord
Dedham
Cambridge
Woburn
Roxbury
Boston
Lyn
Salem
Weymouth
Hingam
Scituate
Mount-hope
Newport
RHODE ISLAND
Seacunk
Pocasset
Dauton
Sandwich
Yarmouth
Cape Cod

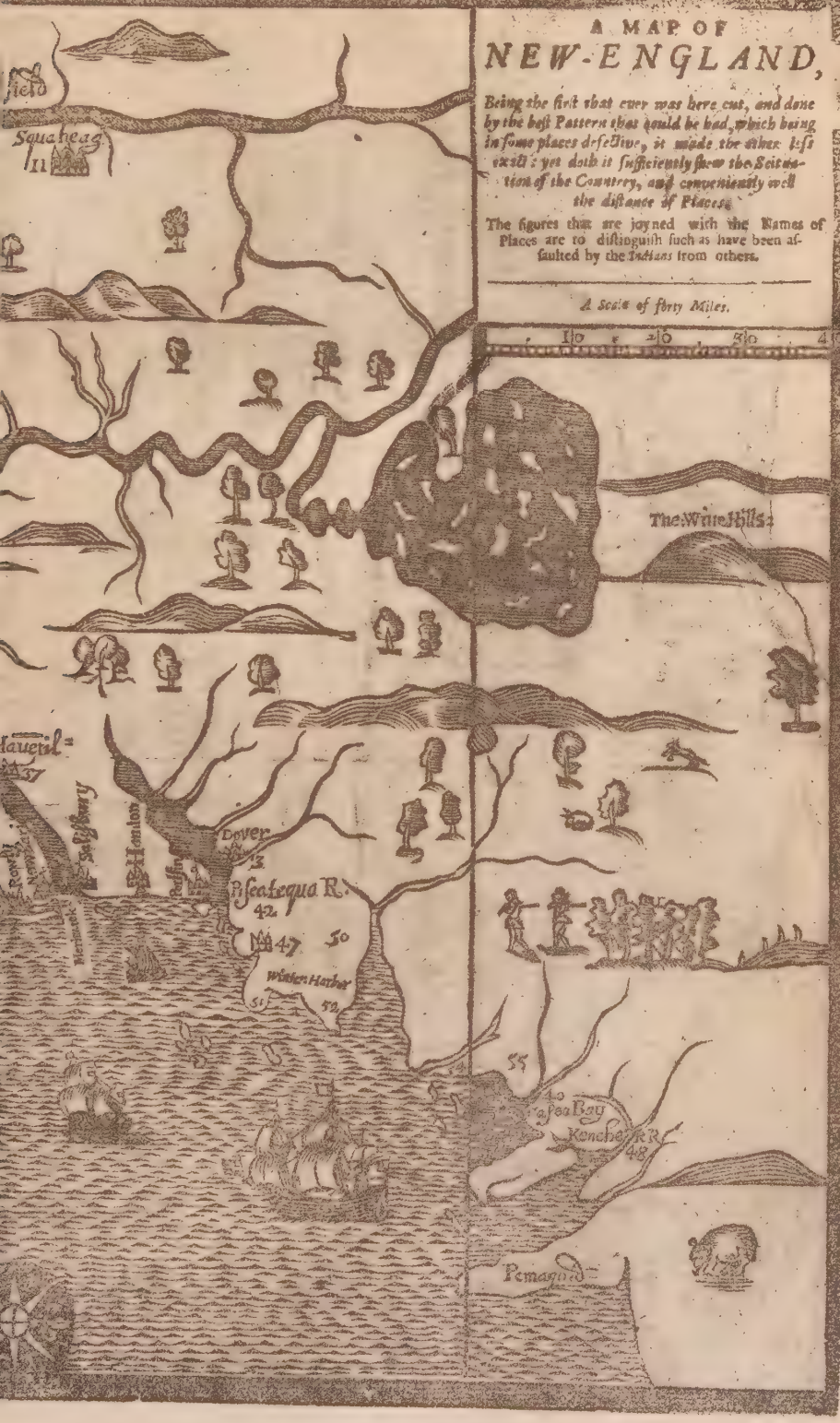
A MAP OF NEW-ENGLAND,

Being the first that ever was here cut, and done by the best Pattern that could be had, which being in some places defective, it made the other less exact: yet doth it sufficiently shew the Situation of the Country, and conveniently well the distance of Places.

The figures that are joyned with the Names of Places are to distinguish such as have been assaulted by the *Indians* from others.

A Scale of forty Miles.

1 10 2 10 3 10 4 0



The town of Swanzey, "consisting of forty dwelling-houses, most of them very fair buildings,"[1] was the nearest of the English towns to Philip's territory.[2] On a Sunday a party of Indians approached it, burned two houses, and then withdrew. Three days after this, "a dozen more of their houses at Swanzey were rifled"; the next day an Englishman was killed there; and the next day several others,[3] "upon whose bodies they exercised more than brutish barbarities, beheading, dismembering, and mangling them, and exposing them in the most inhuman manner."[4]

Assault of the Indians on the town of Swanzey. June 20.

June 23–25.

By this time a small force from the Plymouth towns had marched, under the command of Major Bradford and Major Cudworth, to Swanzey, where they were presently joined by a company of foot under Captain Henchman, a troop of horse under Captain Prentice, and a hundred volun-

Movement of Colonial troops. June 28.

1 Hubbard, Narrative, &c., 133.

2 The accompanying map is a facsimile of the delineation which is prefixed to the first edition of Hubbard's "Narrative of the Troubles with the Indians," published in 1677, — "the first map here cut," as the title-page declares. The topography will be seen to be represented in it with a very imperfect approximation to correctness.

The heavy black lines running at right angles from the coast indicate the northern and southern boundaries of Massachusetts, according to the artist's interpretation of the Charter. It will be observed that they comprehend a portion of Plymouth Colony. A lighter line drawn from Medfield to Scituate intimates a concession which in point of fact had been made to the older jurisdiction.

The figures that have no names attached stand for the following places, viz.: 2, for Swanzey; 3, for Middleborough, which, however, belongs further north; 4, for Dartmouth; 8, for Mendon; 13, for Hatfield; 16, for Westfield; 17, for Worcester; 18, for Pettyquamscot; 19, for the Narragansett fort attacked in December, 1675; 20, for Warwick; 25, for Wickford; 35, for Andover; 42, for Kittery; 47, for York; 50, for Saco; 51, for Wells; 54, for Scarborough; and 55, for Falmouth. Several settlements are indicated by the form of a building. These the reader may identify by a comparison of their position with the corresponding places as laid down in the map at the beginning of this volume. This map also shows a number of settlements already existing, of which no notice is taken in Hubbard's sketch.

3 Records, &c., in Hazard, II. 533.

4 Church, Entertaining Passages relating to Philip's War, &c., 5.

teers under Captain Mosely,[1] all of whom had been despatched from Boston by the Magistrates, as soon as intelligence of what had taken place reached that town.[2] On the evening of their arrival after a forced march of more than twenty-four hours,[3] a reconnoitring party of the troopers was fired upon from the bushes, and one man was killed and another wounded. The next morning, a number of Indians, approaching the English camp, were driven back by Captain Mosely, and five or six of them were killed. Philip perceived his position to be untenable, and the following night transported himself and his companions in canoes to Pocasset, on the eastern shore of the Bay, where stands at present the town of Tiverton.[4] The English, now led by Major Savage,[5] who had come from Boston with a reinforcement to assume the chief command, occupied Mount Hope, — where they found the heads of eight of their countrymen raised on poles, and lost some time in throwing up a slight fortification.[6] Meanwhile

Retreat of Philip from Mount Hope.

1 "This Captain Mosely hath been an old privateer at Jamaica, an excellent soldier, and of an undaunted spirit." (Present State of New England, &c., 4.)

2 "June 29 was a day of public humiliation in this Colony [Massachusetts], appointed by the Council, in respect of the war which is now begun." (Mather, Brief History of the War, &c., 4.)

3 "It being late in the afternoon before they began to march, the central eclipse of the moon in Capric happened in the evening, before they came up to Neponset River, about twenty miles from Boston, which occasioned them to make a halt for a little repast, till the moon recovered her light again. Some melancholy fancies would not be persuaded but that the eclipse, falling out at that instant of time, was ominous, conceiving also that in the centre of the moon they discerned an unusual black spot, not a little resembling the scalp of an Indian." (Hubbard, Narrative, &c., 17, 18.)

4 Church, Entertaining Passages, &c., 6.

5 Thomas Savage, married to a daughter of Ann Hutchinson, was one of those who went to Rhode Island with Coddington in 1636. (See above, Vol. I. p. 509.) He soon came back, however, having sown his wild oats, and had now been a Deputy in the General Court for Boston since 1654. Major-General Denison had been appointed Commander-in-Chief of the Massachusetts troops (Mass. Arch., LXVII. 208), but was taken ill, and Savage was substituted in his place. (Ibid., 209.)

6 "The army now lay still to cover

parties of Philip's men who had crossed the Bay moved towards Plymouth, and fell upon the settlements at Dartmouth, Taunton, and Middleborough, burning the houses, and butchering the inhabitants.[1]

It was thought material to take precautions against combinations by Philip with other tribes; and commissioners of Massachusetts[2] and Connecticut, attended by

the people from nobody, while they were building a fort for nothing." So thought Benjamin Church (Entertaining Passages, &c., 6), when, forty years afterward, at which time he was seventy-seven years old, he and his son, between them, made up the very amusing book which I cite. In the Preface he says: "Having my minutes by me, my son has taken the care and pains to collect from them the ensuing narrative, ... which I have had the perusal of, and find nothing amiss as to the truth of it." The book is a collection of the reminiscences of a humorous old campaigner, who has told his stories over and over again for two scores of years, not allowing them to lose anything in vivacity by the successive repetitions. The self-satisfaction apparent in them, in no way offensive, is an element in the spirit of the narrative. Church was apt to criticize sharply the tactics of his superiors, and, in the management of the first invasion of Mount Hope, he was dissatisfied with the proceedings of the unnamed "chief commander" (p. 12), by whom, of course, he means Major Savage. But it is not presumptuous to suppose that Savage knew better what was fit to be done under the circumstances than his dashing subaltern.

Church, a native of Plymouth, had, in 1674, bought land for a farm at Seghonate, now *Little Compton*, and there erected buildings in the neighborhood of some Indians, whose *Squaw Sachem* was named Awashonks. (Entertaining Passages, 1 *et seq.*, Pref.) The next spring, when Philip was beginning to move, Church interested himself assiduously with Awashonks and with "the Queen of Pocasset" to detach them from the alliance of that prince. (Ibid., 2, 3; comp. Records, &c., in Hazard, II. 533; Present State of New England, 3, 4.) Then he went to Plymouth, to acquaint the Magistrates with what he had observed. At the news of the first assault on Swanzey, Governor Winslow desired him to accompany the force which was to march under Major Bradford. He did so, and took an active part in the proceedings which followed till the seat of war was transferred to the west. The narrative of his exploits during these weeks is circumstantial. (Entertaining Passages, &c., 4 – 13.)

1 "They burned nearly thirty houses in Dartmouth, killing many people after a most barbarous manner, as skinning them all over alive, some only their heads, cutting off their hands and feet." (Present State, &c., 6.) The inhabitants were "most of them Quakers." (Brief and True Narration, &c., 5.)

2 Joseph Dudley, destined to become the most important man in New England, was one of the commissioners from Massachusetts on this occasion. He had now been only ten years out of College, where he had been a classmate of the Indian Cheeshahteaumuck.

a strong military force, were sent to obtain new guaranties of friendship from the Narragansetts. They succeeded in negotiating a treaty, by which the chiefs of that formidable race agreed, for a stipulated price, to deliver up to the English, living or dead, whatever subjects of Philip should come within their country, and to resist any invasion by Philip of their own lands or of the lands of the English. And they gave hostages for their fulfilment of these engagements, and of others of a more general nature. Plymouth was understood to be included in the agreement, though the imperilled state of that Colony prevented the presence of commissioners on its part.[1]

Arrangement with the Narragansetts.

July 15.

But already the war had broken out in a different quarter, and the state of things became much more alarming when an attack upon the Massachusetts town of Mendon by some Nipmuck Indians showed that Philip's was even now not the only hostile tribe. Except at Brookfield, where fifteen or sixteen families had settled,[2] the central region of Massachusetts, from Lancaster to Connecticut River, was uninhabited by Englishmen. "There was a great rendezvous of Nipmuck Indians at Quaboag," now Brookfield,[3] and Captain Edward Hutchinson,[4] of Massachusetts, was sent to them in the hope of effecting a similar understanding to what had lately been brought about with the Narragansetts.[5]

Second stage of the war. Rising of the Nipmucks in Massachusetts.

July 14.

July 28.

[1] Hubbard, Narrative of the Troubles, &c., 20 – 23.

[2] New Hampshire Hist. Col., II. 18.

[3] From Brookfield, a little settlement then fifteen years old, three roads, or rather horse-paths, went eastward; one by Lancaster, one by Quinsigamond (Worcester), and one by Hassanamissit (Grafton). From the towns on the Connecticut, produce was still sent down the river on its way to Boston. (Huntington, Centennial Address at Hadley, 24.)

[4] Edward Hutchinson, like his sister's husband, Major Savage, had gone to Rhode Island and returned, and had now been a Deputy in the General Court since 1658.

[5] The Magistrates had information that a hundred Narragansetts had marched into the Nipmuck country (Mass. Arch., LXVII. 228.)

Arrangements for a conference were made, and Hutchinson, with three citizens of Brookfield, escorted by twenty troopers under Captain Wheeler, repaired to the spot agreed upon, "a plain within three miles of Brookfield," but did not find the savages. Proceeding in search of them some seven miles further, the party fell into an ambush, where the path lay between "a very rocky hill on the right hand, and a thick swamp on the left." The Indians fired upon them, and killed eight men. Hutchinson, Wheeler, and two others were wounded. Wheeler's horse was killed, and he was supplied with another by his son, who, though nearly helpless from a wound of his own, dismounted and pursued his feeble way on foot, till fortunately, after receiving another gunshot wound, he caught the horse of one of his dead comrades.

August 2.

Defeat of Captain Hutchinson.

As yet Philip, after decamping from Mount Hope, had sheltered his followers from pursuit in a bushy swamp at Pocasset, which the English could not penetrate, though there were occasional skirmishes, and several lives were lost on both sides. At length, finding himself too closely pressed after the return of the troops who had been in the Narragansett country, he on a Sunday left his refuge, crossed Taunton River, and led his companions into the interior country.[1] The English, with a party of Mohegans, pursued him, and cut off thirty of his men, but did not succeed in preventing his junction with the Nipmucks, whose camp he reached the day before the fight near Brookfield which has just been related.

July 18.

July 30.

Escape of Philip to the Nipmucks. Aug. 1.

The English fugitives from that unfortunate field got back to Brookfield by a circuitous way, and, with such means as they had, proceeded to fortify themselves in

1 Church, Entertaining Passages, 23–27; Mather, Brief History, &c., &c., 7–13; Hubbard, Narrative, &c., 5, 6.

a large house, where they were presently joined by most of the inhabitants. Wheeler, disabled by his wound, devolved the command of the feeble garrison on Simon Davis, of Concord. The Indians soon appeared, in number, as was believed, no less than three hundred, and burned all the buildings in the outskirts of the town. They drove back two men, who were sent out with a message to Boston. Their fire mortally wounded one man in the house. Another, venturing out of it, fell into their hands. They "cut off his head, kicking it about like a football, and then, putting it upon a pole, they set it up before the door of his father's house."

Operations of the Indians at Brookfield. August 3.

Their shot allowed the beleaguered English no rest that night. When the moon rose, at three o'clock the next morning, the Indians heaped up a quantity of combustible matter at one corner of the house, and set it on fire; but it was extinguished by a sallying party, who were protected by the marksmen in the house. On a third attempt, made just before dawn, a messenger got away on the path towards Boston. Through that day and the next night the discharge of musketry against the house continued, and repeated attempts were made to fire it. Arrows, tipped with burning rags of cotton and linen, were shot to the roof, through which holes had to be cut to get at them with water. "A ball of wild-fire" reached the garret, where was a heap of flax or tow, but was fortunately discovered in season to prevent mischief. Besides the men, there were women and children within the house to the number of fifty, and the shot from without often pierced the walls.

August 4.

The difficulty for the Indians was to get near enough, under the fire from the house, to burn out the besieged party. By the third day, they had built a sort of "carriage about fourteen yards long," with a barrel for a wheel, and "loaded the front or fore-

end thereof with matter fit for firing, as hay, and flax, and chips, &c." But Providence was watchful. In the course of the day there fell "a shower of rain, whereby the matter prepared, being wet, would not so easily take fire as it would otherwise have done."

The worst was now over. An hour after nightfall, Major Simon Willard galloped into the town at the head of forty-seven heavy-armed horsemen. In the forenoon Willard was on his way with that little force from Lancaster to Groton, when a messenger from Marlborough overtook him with the tidings which had been brought thither by the runner from Brookfield. The distance to be travelled in order to carry relief was thirty miles, and the road was not such as might favor a rapid movement. But Willard was at home in the saddle notwithstanding the burden of seventy years, and he came in season to save his friends another night of sleepless misery; "God, who comforteth the afflicted, as he comforted the holy Apostle Paul by the coming of Titus unto him, so he greatly comforted his distressed servants, both soldiers and town inhabitants, by the coming of the said honored Major, and those with him." The Indians fired upon the new-comers, and wounded two men. But the next morning before daybreak they dispersed, having, according to a subsequent statement of one of them, suffered a loss of not fewer than eighty, in killed and wounded, during the three days. On that day, as was afterwards reported by a captive Indian, Philip, accompanied by forty of his men, with their women and children, was conducted to a swamp ten or twelve miles from Brookfield, where he met some of the Nipmuck chiefs, and made them presents in acknowledgment of their recent exploit. The next week, as many of the survivors of Wheeler's command as were able to travel came down

Relief of Brookfield by Major Willard.

August 5.

August 13.

to Marlborough, where Hutchinson died of his wound.[1]

August 19. Near by, at Lancaster, the Indians, who had followed him, surprised and butchered an English family,[2] that were keeping their Sabbath

August 22. at home. Willard proceeded to Hadley, and remained there with his troop two or three weeks.[3]

After Philip's departure from Plymouth, that Colony was tranquil for a time; but, throughout the length and breadth of Massachusetts, the alarm reached every settlement and every dwelling. The exposed state of the remote towns on the Connecticut excited special solicitude, and forces were sent in that direction from the seaboard, under the command of Captain Beers, of Watertown, Captain Lothrop, of Ipswich, and Captain Mosely, of Boston,[4] and from Hartford, under the command of Major Treat, of Milford, who was also accompanied by a party of Mohegan Indians.[5] Major Pynchon, of Springfield, son of

Operations on Connecticut River.

[1] Captain Thomas Wheeler's True Narrative of the Lord's Providences, &c., in Collections of the New Hampshire Historical Society, II. 5 – 23. Whoever has followed this author through his affecting narrative has been well pleased to learn from him at the close: "I am reasonable well, though I have not the use of my hand and arm as before; my son Thomas, though in great hazard of life for some time after his return to Concord, yet is now very well cured, and his strength well restored."

[2] Mather, Brief History, &c., 7; Willard, Address at Lancaster, 90.

[3] Willard, Willard Memoir, 249 – 253.

[4] Mosely, it seems, wore a periwig, of which in battle he used to disembarrass himself; and he thus acquired among the Indians the same reputation of having two heads as Captain Cook had among the Sandwich-Islanders. (Present State of New England, 12.) "When he came to engage the enemy," says the Reverend Mr. Niles, "he was wont to hang his wig upon a bush, and still to wear his head upon his shoulders, and do great exploits among them." (History of the Indian and French Wars, in Mass. Hist. Coll., XXVI. 180. I do not resort to this narrative as an authority. It was written not long before the middle of the eighteenth century, and is so inaccurate as to place in 1674 those events of Philip's War which belong to 1675.)

[5] Connecticut had been delayed by her dispute with Andros (see above, pp. 129 – 131) from joining in the movement against the Indians. "It is a time of difficulty with us," her General Court wrote, July 9th, to Massachusetts. (Conn. Rec., II. 260, 335, 581.) At the same time the Court appointed a

the former Assistant of that name,[1] was the officer highest in command in this quarter after Willard went eastward. Hadley was designated to be made the principal military post, and the place of deposit for supplies. At Hatfield, a little stockade had been put in charge of some Indian auxiliaries, who were supplied with arms and ammunition. There appeared reason to suspect their fidelity; and Beers and Lothrop, sent with a hundred men to disarm them, found that they had decamped the night before. The English pursued, and came upon them in a swamp,[2] where an engagement took place, in which ten of the English fell,[3] and twenty-six of the savages. August 25.

At the end of another week, separate attacks were made upon two of the settlements on the Connecticut. At Deerfield, several houses and barns were burned, and two men were killed. At Hadley, from which place the Indians had observed most of the garrison to be absent, the inhabitants were keeping a fast, when their devotion was disturbed by the outcries of the furious enemy. Seizing the muskets which stood by their sides, the men rushed out of their meet- Assaults upon Deerfield and Hadley. Sept. 1.

Standing Council, consisting of the Governor, the Deputy-Governor, the Magistrates, and four eminent citizens, to act for it in all emergencies during its recess. The Journal of this Council is extant. (Conn. Rec., II. 335 *et seq.*) Under its direction, the military operations of Connecticut were conducted for three months, at the end of which time the Court met again. August 5 (Ibid., 345) they despatched a reinforcement of forty men to Brookfield. The following day (Ibid., 346) they ordered a levy of two hundred and thirty dragoons, to be prepared to march at an hour's notice. They raised a force of friendly Indians. (Ibid., 348 – 350, 352.) August 25 they "made choice of Major Robert Trent to go out Commander-in-Chief." (Ibid., 354; comp. 356, 360.)

1 See above, Vol. II. p. 395, note.

2 The swamp is ten miles north from Hatfield, at the foot of *Sugar-Loaf Hill*, which rises almost perpendicularly five hundred feet from the plain; a bold cliff of basalt supporting red sandstone.

3 Mather remarked (Brief History, &c., 7) that the Englishmen who were killed (nine in number according to his reckoning) belonged to as many "several towns, as if," he adds, "the Lord should say that he hath a controversy with every plantation, and therefore all need to repent and reform their ways."

ing-house, and hastily fell into line; but the suddenness of the assault from a foe now enclosing them all around was bewildering, and they seemed about to give way, when, it is said, an unknown man of advanced years and ancient garb appeared among them, and abruptly assumed the direction with the bearing and tone of one used to battles. His sharp word of command instantly restored order. Musket and pike were handled with nerve. The invaders were driven in headlong flight out of the town. When the pursuers collected again, their deliverer had disappeared, nor could any man get an answer to the question, by what instrument a gracious Providence had interposed for their rescue.

The regicide Colonel Goffe.

It was the regicide Colonel Goffe. Sitting at a window of Mr. Russell's house while his neighbors were at their worship, he had seen the stealthy savages coming down over the hills; the old ardor took possession of him once more; he rushed out to win one more victory for God's people, and then went back to the retirement from which no man knows that he ever emerged again.[1]

1 See above, Vol. II. p. 507. For this story (put by Sir Walter Scott into the mouth of Major Bridgenorth in Peveril of the Peak, Chap. XIV.) I am very sorry to say that I can find no earlier authority than Hutchinson's. (History, I. 201.) He introduces it by saying that he is "loath to omit an anecdote handed down through Governor Leverett's family." Leverett is known to have secretly visited at Hadley his old companion in arms. (Ibid.) Leverett's widow lived till 1704, and may well have told the story to some person from whom Hutchinson had it. But I am disappointed in the hope of finding confirmation of it in the Connecticut River records or traditions. Dr. Stiles says (History of the Three Judges, &c., 108) that it "is preserved to this day in the tradition at New Haven and Hadley"; and, according to his custom, he relates it *en beau*. But so vague a statement of so careless an inquirer settles nothing. I can hear of no tradition that is not traceable to Hutchinson's history. The letter of Dr. Hopkins of Hadley to Dr. Stiles, in Judd's "History of Hadley" (219), is not a weighty contribution to the evidence. It would have been more so, had not the story been in print long before in Hutchinson's work. That neither Hubbard (Narrative, &c., 37) nor Mather (Brief History, &c., 7, 8) relates it, is not extraordinary. If they suspected Goffe to be the *deus ex machinâ*, they would not have wished to betray him. What

The savages were skulking in the woods all along the river, from Springfield to the uppermost English settlement, which was at Northfield (Squakheag). At the latter place, a party, having ventured out of a block-house, was intercepted on its return, and nine or ten men were killed. Thirty-six men, sent up under Captain Beers with wagons to bring off what remained of this garrison and its stores, had arrived within three miles of the place, when they were fired upon by a concealed party of the enemy. The English fought till their ammunition was spent, and then gave way, having killed twenty-five of their assailants. More than twenty of their own number fell, including their commander. Most of the survivors got back to Hadley the same night. One wandered in the woods six days, and when he came in "was almost famished, and so lost his understanding that he knew not what day the fight was on." Major Treat was sent up the river with a force of a hundred men to repeat the attempt in which his unfortunate comrade had failed, and, "coming nigh Squakheag, his men were much daunted to see the heads of Captain Beers's soldiers upon poles by the way-side." They also were waylaid, and their commander was wounded by a spent ball. They fought their way through, and brought off their friends in safety from Northfield; and for the present that settlement was abandoned.[1]

Sept. 2.

Captain Beers at Northfield. Sept. 4.

Sept. 6.

strikes the reader as singular is, that Hubbard omits to mention this attack on Hadley altogether. That distinguished antiquary, the late Mr. Judd, had an explanation of this silence of Hubbard. But I neglected to learn from him what it was, and now it is too late.

[1] Letter of Solomon Stoddard, of Northampton, in Mather, Brief History, &c., 8–11. Stoddard's mind, like the minds of many of his contemporaries, was much exercised as to the sins which had provoked such a judgment. "I desire you would speak to the Governor, that there may be some thorough care for a reformation. . . . . I desire you would especially mention oppression; that intolerable pride in clothes and hair; the toleration of so many

So stood the war at the time when, at Boston, the Commissioners of the three Colonies came together for their first regular meeting after the establishment of the new confederacy. The Commissioners from Plymouth laid before their associates a "Narrative showing the Manner of the Beginning and Progress of the Present War," and bringing down the story to the attack upon Swanzey, eleven or twelve weeks before the Commissioners assembled. Thereupon the Commissioners, by unanimous votes, declared the war to be "both just and necessary, in its first rise a defensive war"; "agreed and concluded that it ought now to be jointly prosecuted by all the United Colonies, and the charges thereof to be borne and paid as was agreed in the Articles of Confederation"; and ordered "that there be forthwith raised a thousand soldiers, whereof five hundred to be dragoons or troopers with long arms." Of this force Massachusetts was to furnish five hundred and twenty-seven men, Connecticut three hundred and fifteen, and Plymouth one hundred and fifty-eight.[1]

Meeting of the Federal Commissioners. Sept. 9.

If a wide conspiracy of the natives had been planned, with Philip for its leader, it may be supposed that the Commissioners would have had some information or

taverns, especially in Boston." (Ibid., 11.) Fine clothes and long hair seemed to Mather also to have a share in bringing on this great public calamity (Ibid., 17, 18); and to the General Court. (Mass. Rec., V. 59.) See also Hubbard, Narrative, &c., 37.

It is probable that for this, as for other parts of his narrative, Hubbard's information came from Major Appleton, his parishioner, who commanded a party that met Treat coming down from Northfield. Major Samuel Appleton was brother of John, who was also a man of consideration in the Colony. John was the first signer, in 1666, of the unpatriotic petition from Ipswich (see above, Vol. II. p. 627), for which offence the Deputies refused to admit him to a place in the next General Court, though the Magistrates interceded with them in his behalf. (Mass. Arch., CVI. 182, 183.)

[1] Records, &c., in Hazard, II. 532 – 535. — As usual, when such matters were in hand, days of fasting and humiliation were now observed in the several Colonies. (Present State of New England, 16 – 18; Conn. Rec., II. 297.)

suspicion of it. But nothing of this kind can be gathered from their record, after they had had three months to make observation, and had conferred with Philip's neighbors at Plymouth. What they saw was that the madness, which all along there had been cause to watch and fear, was now broken loose. However much or little the movement that was going on had of arrangement and concert, at all events it was destructive. So long as mischief was threatened only by the tribe of their ancient allies on the eastern shore of Narragansett Bay, the danger was not appalling. But it would be far otherwise, should the thirst for blood become epidemic; and the last fortnight had shown that the contagion was already spread over a wide extent.

Critical condition of the Colonists.

So far from the natives being crowded upon at this time in New England, it is not probable that they were more numerous than the Colonists. But they were formidable altogether out of proportion to their numbers. By their trade with Dutch, French, and English, notwithstanding the most anxious legal precautions, they had become possessed of European arms, and were so expert in their use that they were reputed the best marksmen in the land. They knew the country perfectly; — the paths and defiles by which they might secretly reach an undefended hamlet; the thickets in which they might wait for a company of travellers; the hollows where they might lie hidden, and baffle pursuit. They knew the haunts and the habits of their exposed white neighbors; the day of the week when dwellings might be ransacked and burned more safely than on the other six; the hours of the night when conflagration and carnage were easiest. On the other hand, though the English were well armed, they had no military experience. Not a man of them, if his life had been passed on this side of the water, had ever been in battle, unless he was

old enough to have faced the Pequots, forty years before. In open fight, the manliness of his race would have availed, and the slight savage could not have stood against him. But it was not the habit of the red man to try the hazards of the open field,[1] and in the arts of Indian warfare the existing generation of Englishmen was untaught.

Many of their settlements were so situated that no precautions would secure them against a sudden attack, such as would be ruinous before forces could be collected to repel it. The line of villages reaching up and down the river Connecticut, from Northfield to Springfield, was unprotected both to the east and to the west, while eastward from that river, for fifty miles, lay a wilderness without a civilized inhabitant, except where, midway of the distance, a house or two survived the recent conflagration of the hamlet of Brookfield. Much the larger part of the people of Massachusetts still dwelt on or near the sea-shore; and the irregular line of towns consisting of Chelmsford, Groton, Lancaster, Marlborough, and Mendon might be said to constitute the western frontier. Lancaster, which lay the furthest inland, was less than forty miles distant from Massachusetts Bay. No one of them probably numbered more than three hundred settlers, including persons of all ages.

During ten weeks the Federal Commissioners came together repeatedly, or, rather, they held a nearly con-
Sept. 9 – Nov. 19. tinuous session. More distressing intelligence than had yet come was presently to reach them from the west. After Northfield was abandoned, Deer-

1 "The Indians, notwithstanding their subtlety and cruelty, durst not look an Englishman in the face in the open field, nor ever yet known to kill any man with their guns, unless when they could lie in wait for him in an ambush, or behind some shelter, taking aim undiscovered." (Hubbard, Narrative, &c., 39.) "The Indians do their exploits on out-houses and straggled persons." (Letter of Nathaniel Thomas, in Davis's edit. of Morton, 429.)

field, which became the most northerly settlement, was the next to be broken up. The inhabitants having been fired upon as they went to public worship, and their houses burned, it was thought best to withdraw them into the lower towns. They left a quantity of wheat just reaped and "threshed out as well as they could in those tumults."[1] This it was desirable to secure. From Hadley, twenty miles distant, the head-quarters of the troops, a party was despatched to finish threshing the grain and bring it in. Eighteen wagons, with their teamsters, were convoyed by a company of ninety picked men, led by Captain Lothrop. The grain was threshed, and put in the wagons with some furniture of the inhabitants, and the party proceeded on their return. Captain Mosely, whom they found at Deerfield with his company, remained there on their departure, and undertook, by his scouts, to secure his friends against any sudden approach of the foe.

Disastrous fight at Bloody Brook. Sept. 12.

Lothrop's party made a few miles of their proposed march in safety, and about seven o'clock in the morning reached a little stream within the township of Deerfield, since called *Bloody Brook*, in memory of that disastrous day. The stream was bordered by thick woods. As the wagons slowly forded it, tradition relates that the men imprudently put their arms in them,[2] and scattered to gather the wild grapes which hung ripe upon the vines.[3] A sudden volley from hundreds of muskets on the right side of the path startled them from their security. Several were killed. A crowd of savages sprang from an ambush, and fell upon the rest, before they had time to form, and regain their weapons. Lothrop was "a godly and courageous commander," but valor so beset was un-

Sept. 18.

1 Hubbard, Narrative, &c., 38.
2 Mather, Brief History, &c., 12.
3 Hoyt, Antiquarian Researches, &c., 109.

availing.[1] The assailants were believed to be not fewer than seven hundred. Lothrop was shot dead early in the action. Seven or eight Englishmen, at the utmost, escaped. One of these had been stripped, and left for dead, after being wounded, first by a musket-ball and then by a tomahawk. Another forced his way through with his musket, with which he laid about him with one arm, after the other was broken. The dead were all buried in one grave, now covered with a memorial stone, which arrests the traveller's attention on the side of the highway in South Deerfield.

Lothrop's company was known by the name of "The Flower of Essex," being "all culled out of the towns belonging to that county." Its fate was "a sad and awful providence,"[2] "a dismal and fatal blow," "a sadder rebuke of Providence than anything that hitherto had been." The day was "a black and fatal day,"[3] "the saddest that ever befell New England."[4]

Mosely heard the firing four or five miles off, and, marching down with all speed to relieve his comrade, found the conquerors busy in scalping and spoiling the dead bodies. He came upon them at eleven o'clock before noon, and attacked them with vigor; but though he killed a considerable number, they kept up the contest from their hiding-places till evening, when Major Treat, who had been further up the river with a hundred Englishmen and half as many friendly Mohegans, came down and drove the savages from the ground. The English encamped over night near the scene of the battle, and in the morning proceeded to bury the bodies of their friends, after again dispersing some In-

[1] Hubbard (Narrative, &c., 39) attributed this disaster to the "unadvised proceeding of the captain," who, however, he allows, "wanted neither courage nor skill to lead his soldiers." Did he get his criticism from Appleton?

[2] Letter of Governor Leverett in Mass. Arch., LXVII. 264.

[3] Mather, Brief History, &c., 12, 16

[4] Hubbard, Narrative, &c., 38.

dians whom they found engaged in stripping and disfiguring them. When, after a few days, Mosely's force was ordered away from Deerfield, the few remaining inhabitants deserted that place; and Springfield, Hadley, Northampton, and Hatfield were the only towns on the Connecticut which the English continued to hold in Massachusetts. Springfield was fiercely attacked by a large force, and some thirty houses were ravaged and burned; a disaster which was the more deplored, because the planters had lived on the most friendly terms with the natives in their neighborhood through the whole history of that settlement, now forty years old, and had lately received from them the most positive assurances of friendship.[1] The last appearance of any considerable force of Indians for the present at the western plantations[2] was at Hatfield, whence, after a sharp encounter, they were repulsed with considerable loss.[3] From this time they appear to have dispersed, especially towards the holds of the Narragansetts. Many also of the English troops from the sea-coast were withdrawn to their homes.[4]

Attack on Springfield. October 5.

Attack on Hatfield. October 19.

[1] Breck, Centennial Sermon at Springfield, 19 – 22. — "Amongst the ruins of the said dwellings, the saddest to behold was the house of Mr. Pelatiah Glover, minister of the town, furnished with a brave library, ... the said minister being a great student, and an *helluo librorum*." (Hubbard, Narrative, &c., 42.)

[2] The affair at the border town of Springfield alarmed Connecticut. Secretary Allyn wrote (October 7) to the Magistrates of Massachusetts, "It 's high time for New England forthwith to stir up all her strength, to make war their work and trade, for endeavoring to suppress these enemies." (Mass. Arch., LXVII. 285.)

[3] Mather (Brief History, &c., 17, 18; comp. Mass. Rec., V. 59 – 64) thought this success was due to the measures for reformation, which, six days before, had been adopted by the General Court, including a testimony against "proud excesses in apparel, hair, &c."; against "false worshippers, especially idolatrous Quakers"; against swearing; and against excessive drinking. He regarded the case as parallel to that of the victory over the Scots at Musselburgh, the day of the passing of the Act of Reformation in the reign of Edward the Sixth.

[4] Hubbard, Narrative, &c., 44, 47; Mather, Brief History, &c., 19; Conn. Rec., II. 266, 267. — October 4, Ap-

The attitude of the powerful Narragansett tribe was regarded with anxiety.[1] It was known that, so far from keeping their compact to surrender such enemies of the English as should fall into their hands, they had harbored numbers of Philip's dispersed retainers and allies. While the Federal Commissioners were in session at Boston, Canonchet,[2] Sachem of the Narragansetts, came thither with other

Alarm respecting the Narragansetts.

October 18.

pleton was placed, instead of Pynchon, in the chief command, at the request of the latter, often repeated. Pynchon urged that his wife was sick, his home exposed, and his affairs all in disorder. (Mass. Arch., LXVII. 280; comp. 246, 264.)

1 At this time a code of "laws and ordinances of war" was "passed by the General Court of the Massachusetts for the better regulating their forces, and keeping their soldiers to their duty, and to prevent profaneness, that iniquity may be kept out of the camp." The following are some of these regulations: —

"1. Let no man presume to blaspheme the holy and blessed Trinity, God the Father, God the Son, and God the Holy Ghost, upon pain to have his tongue bored with a hot iron.

"2. Unlawful oaths and execrations, and scandalous acts in derogation of God's honor, shall be punished with loss of pay, and other punishment at discretion.

"3. All those who often and wilfully absent themselves from the public worship of God and prayer shall be proceeded against at discretion.

"4. Whoever shall be convicted to do his duty negligently and carelessly shall be punished at discretion.

"5. No man shall presume to quarrel with his superior officers, upon pain of cashiering and arbitrary punishment, nor to strike any such upon pain of death.

"6. No commander or soldier shall depart from his charge or captain without license, upon pain of death.

"7. Every private soldier, upon pain of imprisonment, shall keep silence when the army is to take lodging, or when it is marching or in battalion, so as the officers may be heard and their commands executed.

"8. No man shall resist, draw, lift, or offer to draw or lift, his weapon against his officer, correcting him orderly, for his defence, upon pain of death.

"9. No man shall resist the provost-marshal or any other officer in the executing of his office, upon pain of death.

"10. No man shall utter any words of sedition or mutiny, upon pain of death.

"11. They that shall hear mutinous speeches, and not acquaint their commander with them, shall be punished with some grievous punishment. . . . . .

"By grievous punishment is meant disgracing by cashiering, the strappado, or riding the wooden horse to fetch blood.

"Arbitrary punishment, or punishment at discretion, is meant not to extend to hazard life or limb." (Mass. Coll. Rec., V. 49, 50.)

2 Canonchet was son of Miantonomo. (See above, Vol. II. p. 128; comp. Mass. Hist. Coll., XXXVI. 298.)

chiefs, and promised that the hostile Indians whom they acknowledged to be then under their protection should be surrendered within ten days.[1] But probably the course of events on Connecticut River emboldened them. At all events, they did not keep their engagement. The day for the surrender came and went, and no Indians appeared. If that faithless tribe, the most powerful in New England, should assume active hostilities, a terrible desolation would ensue. The Commissioners moved promptly. The fifth day after the breach of the treaty found them reassembled after a short recess. They immediately determined to raise an additional force of a thousand men for service in the Narragansett country.[2] They appointed Governor Winslow, of Plymouth,

Great military preparations. November 2.

1 Mather, Brief History, &c., 19; Records, &c., in Hazard, II. 536; Present State of New England, 31, 32.

2 Records, &c., in Hazard, II., 531. These arrangements were not made without some difficulty. The inconveniences which so easily beset a confederacy were felt at different stages of the proceedings. November 5, Governor Winthrop, being the only Commissioner for Connecticut present at the meeting of the Commissioners at Boston, said that he did not feel authorized to pledge his Colony. Whereupon his associates (Danforth and Stoughton for Massachusetts, and Winslow and Hinckley for Plymouth) voted that "the withdrawal of their brethren of Connecticut in a time of so great extremity was a very awful and tremendous providence of the Lord," and "an absolute violation of the main ends of the Articles of Confederation." (Mass. Arch., II. 363.) Nor was there more harmony in the field than in the council-chamber. As winter drew nigh, the Connecticut troops began to pine for home. In General Orders at Hadley, November 12, Appleton announced that "whatever officer or officers should draw off any forces out of this jurisdiction, without order from the Commissioners, or joint council of the chief officers, and license of the commander-in-chief of the army, their so doing is a breach of the Articles of Confederation of the United Colonies." (Mass. Arch., LXVIII. 54.) This was aimed at Treat and the Connecticut troops. Connecticut resented it in a letter, three days later, from Secretary Allyn to Appleton (Ibid., 56), and threatened to withdraw her forces altogether, which, Allyn said, Appleton was using only to garrison Massachusetts towns, while Treat too complained of his superior's inaction. (Ibid., 62). November 17, Appleton vindicated himself in a dignified letter addressed to the government of Connecticut, at the same time authorizing Treat to "move with his forces downward." (Ibid., 63.) Intelligence had perhaps by this time been received of the project of a campaign in the Narragansett country.

to be Commander-in-chief, and desired the Colony of Connecticut to name his lieutenant. The General was to place himself at the head of his troops within six weeks, "a solemn day of prayer and humiliation" being kept through all the Colonies meanwhile. The Commissioners "commended to the several General Courts or Councils that effectual care be taken that the soldiers sent on this expedition be men of strength, courage, and activity; their arms well fixed, and fit for service; that their clothing be in all respects strong and warm, suitable for the season; that they have provisions in their knapsacks for a week's march from their rendezvous, and supply in a magazine appointed for a more general service; also, that there be a meet number of able ministers and chirurgeons provided and appointed for the expedition." Time was thus given to the Narragansetts to make their peace "by actual performance of their covenants made with the Commissioners; . . . . . as also making reparation for all damages sustained by their neglect hitherto, together with security for their further fidelity." If they failed to profit by the respite, then they were to feel the blow in the success of which the being of civilized New England was visibly involved.[1]

It is not known whether Philip was among the Narragansetts at this time. Under whatever influence it was, whether from stupidity or from confidence, they made no further attempt at pacification. Their present quiet afforded no omen of peaceable intentions. For the season was not favorable to active operations on their part. On a march they could find no pro-

1 Records, &c., in Hazard, II. 537, 538. — In the beginning of November, there was a fruitless expedition into the heart of the Nipmuck country. The "praying Indians" at Hassanamissit having given cause of suspicion, two companies, under the command of Captain Henchman, were despatched to their settlement. But they had already dispersed, two hundred of them having joined the enemy (Brigham, Centennial Address at Grafton, 9, 10.)

visions except what they should obtain by pillage, and the leafless trees and bushes denied them the concealment which was required by their methods of conducting war.[1]

The Massachusetts troops marched from Dedham to Attleborough[2] on the day before that which had been appointed by the Commissioners for them to meet the Plymouth levy at the northeastern corner of the Narragansett country.[3] The following day they reached Seekonk. A week earlier, the few English houses[4] at Quinsigamond (Worcester) had been burned by a party of natives;[5] and a few days later, the house of Jeremiah Bull at Pettyquamscott, which had been designated as the place of general rendezvous for the English,[6] was fired, and ten men and five women and children, who had taken refuge in it, were put to death.[7]

March against the Narragansetts. December 9.

December 2.

December 5.

Six companies of foot, and one mounted troop, from Massachusetts, under Major Appleton, of Ipswich, and two companies from Plymouth, under Major Bradford, came to Smith's house, at Wickford.[8] There, after a few days, they received information that Major Treat,[9] of Connecticut, had reached Pettyquam-

December 13.

1 "The Narragansetts were resolved, if they could, to destroy the English; ..... in the spring, when they should have the leaves of trees and swamps to befriend them, they would do it." (Mather, Brief History, &c., 19.)

2 Hubbard, Narrative, &c., 49.

3 Records, &c., in Hazard, II. 537.

4 "A village called Quonsigomog, consisting of about six or seven houses." (Hubbard, Narrative, &c., 135.)

5 Mather, Brief History, &c., 19.

6 Hubbard, Narrative, &c., 51.

7 Mather, Brief History, &c., 20.

8 Hubbard, Narrative, &c., 49; Mather, Brief History, &c., 20.

9 Treat, in conformity to the proposal of the Commissioners, had been appointed by Connecticut to be "second in command of the army." (Conn. Rec., II. 383, 386). — December 1. "The Council did further commissionate Major Treat to take the conduct of our army, and to take special care of the Reverend Mr. Bulkley and Mr. Noyes; and they also commanded all the captains and lieutenants of the army to be tender and careful of Major Treat, that he be not exposed to too much hazard, and that they allot him a sufficient guard to attend his person at all times; with an advice that they avoid whatever may be provoking to God, and that they behave themselves valiantly and courageously." (Ibid., 388.)

scott, with five companies of English and fifty Mohegan allies; whereupon they immediately proceeded to that place. Governor Winslow took the command, and no time was lost. The General had from a prisoner information of the place where the principal force of the Narragansetts was collected; and, on the night when he made a junction with the Connecticut troops, he gave his orders for an attack upon it, to be made on the following day, though it would be Sunday; for, in waiting for the reinforcement from Connecticut, provisions had been falling short.[1]

December 18.

The place where the Narragansetts were to be sought is in what is now the town of South Kingston, eighteen miles distant, in a northwesterly direction, from Pettyquamscott, and a little further from that Pequot fort to the southwest, which had been destroyed by the force under Captain Mason, forty years before. According to information afterwards received from a captive, the Indian warriors here collected were no fewer than three thousand and five hundred.[2] They were on their guard, and had fortified their hold to the best of their skill. It was on a solid piece of upland of five or six acres, wholly surrounded by a swamp.[3] On the inner side of this natural defence they had driven rows of palisades, making a barrier nearly a rod in thickness; and the only entrance to the enclosure was over a rude bridge consisting of a felled tree, four or five feet from the ground,[4] the bridge being pro-

Narragansett fort.

1 Mather, Brief History, &c., 20.

2 Letter of Dudley in Hutch. Hist., I. 274.

3 If any reader of this story should be curious to see the site of the Narragansett swamp fort, he may with little trouble be gratified by taking the railway train of the Shore Line, and leaving it about eighteen miles north of Stonington, at the South Kingston Station. He will then be about two miles distant from the house of Mr. John Clark, to whom the site of the fort, about a mile further, belonged when I visited it in July, 1855. My horse with difficulty picked his way through the bog that surrounded it. Of course it was more accessible in the temperature of December. "A most hideous swamp," Callender calls it. (R. I. Hist. Coll., IV. 130.)

4 Hubbard, Narrative, &c., 52.

tected by a blockhouse. The English, breaking up their camp while it was yet dark, arrived before the place at one o'clock after noon.[1] Having passed, without shelter, a very cold night, they had made a march of eighteen miles, through deep snow, scarcely halting to refresh themselves with food. In this condition they immediately advanced to the attack. The Massachusetts troops were in the van of the storming column; next came the two Plymouth companies; and then the force from Connecticut.[2]

Storming of the fort. December 19.

The foremost of the assailants were received with a well-directed fire. Captain Johnson, of Roxbury, was shot dead on the bridge, as he was rushing over it at the head of his company. Captain Davenport, of Boston, son of Captain Davenport of the Pequot war, had penetrated within the enclosure, when he met the same fate. Captain Gardiner, of Salem, and two Connecticut captains, Gallup, of New London, and Marshall, of Windsor, were also killed outright. Lieutenant Upham, of Boston, and Captain Seeley, of Stratford, received wounds which after a while proved fatal. Major Bradford, of Plymouth, "was sorely wounded, but God had mercy on him, and on his people in him, so as to spare his life, and to restore him to some measure of health." Captain Gorham, of Barnstable, who led the other Plymouth company in the action,[3] took a fever which soon

1 "That night was very stormy. We lay, one thousand in the open field, that long night. In the morning, December 19, Lord's day, at five o'clock, we marched." (Letter, attributed to Major Bradford, in Hutch. Hist., I. 273, note). "Bull's house, intended for their general rendezvous, being unhappily burned down two or three days before, there was no shelter left, either for officer or private soldier; so as they were necessitated to march on toward the enemy through the snow, in a cold stormy evening, finding no other defence all that night save the open air, nor other covering than a cold and moist fleece of snow." (Hubbard, Narrative, &c., 51; comp. News from New England, &c., 1; Continuation of the State of New England, &c., 5, 6, 8.)

2 Hubbard, Narrative, &c., 51; Letter of Joseph Dudley to Governor Leverett, in Hutch. Hist., I. 273, note.

3 Letter of Dudley, *ubi supra.*

ended his days.[1] Captain John Mason, of Norwich, son of the commander against the Pequots, received a wound which caused his death, though he lingered for several months, and was made an Assistant in the following spring.[2]

Nothing discouraged by the fall of their leaders, the men pressed on, and a sharp conflict followed, which, with fluctuating success, lasted for two or three hours. Once the assailants were beaten out of the fort; but they presently rallied and regained their ground.[3] There was nothing for either party but to conquer or die, enclosed together as they were. At length victory declared for the English, who finished their work by setting fire to the wigwams within the fort. They lost seventy men killed, and a hundred and fifty wounded.[4] Of the Connecticut contingent alone, out of three hundred men forty were killed and as many wounded.[5] The number of the enemy that perished is uncertain. "A great counsellor among them," afterwards taken prisoner, said that seven hundred fighting-men were killed that day, and three hundred received fatal wounds.[6] But his motives for speaking the truth, his means of knowledge, and his capacity of computation, are alike questionable. What is both certain and material is, that on that day the military strength

1 Mather, Brief History, &c., 22.

2 Conn. Rec., II. 273. — Samuel Hall, of Fairfield, petitioned the General Court for compensation for his clothes lost in the "swamp fight." "When Captain Mason was shot down," he writes, "I was just before him when he fell down, and shook him by the hand, I being shot down before in that very place, so that he fell very near me. But Captain Mason got up again and went forth, and I lay bleeding there in the snow, and, hearing the word commanded to set fire on the wigwams, I considered I should be burned if I did not crawl away. It pleased God to give me strength to get up and get out, with my cutlass in my hand, notwithstanding I had received at that time four bullets, two in each thigh, as was manifest afterwards." (Ibid., III. 5.)

3 Letter of Dudley, *ubi supra.*

4 Letter of Bradford [?], *ubi supra.*

5 Conn. Rec., II. 391.

6 Hubbard, Narrative, &c., 54.

of the formidable Narragansett tribe was irreparably broken.[1]

Another cold night was now coming on, and snow was again falling. The wigwams of the fort being consumed,[2] there was no shelter for the English within many miles; and the surgeons pronounced that it was indispensable to remove the wounded at once to a place of repose, before they should become too stiff for treatment. Accordingly, the troops were forced to retrace their way by a night-march through snow that deepened as they went. The wounded were cared for

[1] It was a significant fact, as to the complicity of the Narragansetts with the Nipmucks, that "some of our men's guns that were lost at Deerfield were found in the fort." (Hubbard, Narrative, &c., 48.)

[2] This burning of the wigwams occasioned high displeasure to Church, who, after some months' retirement from active service, had joined this expedition as a volunteer aide to Winslow, or, as he calls it, "a reformado." (Entertaining Passages, &c., 13.) Hearing that an order had been given to fire the wigwams, he hastened to the General to remonstrate. He told Winslow "that the wigwams were all musket-proof, being all lined with baskets and tubs of grain and other provisions sufficient to supply the whole army until the spring of the year; and every wounded man might have a good warm house to lodge in, which otherways would necessarily perish with the storms and cold. And moreover, that the army had no other provision to trust unto, or depend upon; that he knew that Plymouth forces had not so much as one biscake left, for he had seen their last dealt out." (Ibid., 16.) But he could not prevail. Winslow (though Church has a different account to give of his refusal) probably distrusted the capacity of his exhausted men to hold the place against the swarms that might be assembling in the woods.

Church relates that, in the action, he was approaching Captain Gardiner, when "on a sudden, while they were looking each other in the face, Captain Gardiner settled down. Mr. Church stepped to him, and, seeing the blood run down his cheek, lifted up his cap, and calling him by his name, he looked up in his face, but spoke not a word, being mortally shot through the head." (Ibid., 14.) Church, as usual, had at this time some hair-breadth escapes, but got off with "a small flesh-wound," and another wound, more serious, "on the joint of the hip-bone." A third shot "pierced his pocket, and wounded a pair of mittens, that he had borrowed of Captain Prentice; being wrapped together, had the misfortune of having many holes cut through them with one bullet." (Ibid., 15, 16.)

After the "swamp-fight," Church withdrew a second time from active service till the final campaign of the war in Plymouth Colony. To the three periods thus specified his "Entertaining Passages" relate, so far as they treat of this war.

with all tenderness, but several of them died before morning.[1] Two hours after midnight, most of the army got back to Smith's plantation at Wickford.[2]

1 "Many died by the way, and as soon as they were brought in, so that, December 20, we buried in a grave thirty-four, next day four, next day two." (Letter of Bradford [?], *ubi sup.*)

2 "After our wounds dressed, we drew up for a march, not able to abide the field in the storm, and weary; about two of the clock, obtained our quarters, with our dead and wounded, only the general, ministers, and some other persons of the guard, going to head a small swamp, lost our way, and returned again to the enemy's quarters; a wonder we were not a prey to them; and, after at least thirty miles' marching up and down, in the morning recovered our quarters, and had it not been for the arrival of Goodale next morning, the whole camp had perished. The whole army, especially Connecticut, is much disabled, and unwilling to march, with tedious storms, and no lodgings, and frozen and swollen limbs." (Letter of Dudley, *ubi supra.*)

That diligent antiquary, Mr. Franklin B. Hough, of Albany, published in 1856 a tract, entitled by him, "Narrative of the Causes which led to Philip's Indian War." The series of occurrences related in it ends just before "the great swamp fight" above described. Nothing of importance is added by it to our knowledge derived from other sources. The manuscript bears the signature *John Easton*, and Mr. Hough attributes the authorship to the person of that name (son of Governor Nicholas Easton) who was Attorney-General of Rhode Island for several years (R. I. Rec., II. 39, 97, 147, 186, 223, 243), and afterwards Governor (Ibid., III. 290). But I find it hard to suppose that a man raised to such stations was so grossly illiterate as was the author of this piece. The signature, in the Rhode Island Archives, of John Easton, Recorder in 1692 (Ibid., III. 288), who was perhaps the same person as the Attorney-General and Governor, is different from the signature attached to this tract. A "John Easton, Jr." was made a freeman in 1670 (Ibid., II. 364), and he may have been the writer.

In an Appendix to this publication, Mr. Hough has given some extracts from a narrative by Thomas Warner, who, having been carried off by the Indians from Hatfield, October 19, 1675, (see above, p. 171) made his escape, and got to Albany, and thence to New York, where he related to the Council some of the proceedings of his captors. "They killed," he said, "one of the prisoners presently after they had taken him, cutting a hole below his breast, out of which they pulled his guts, and then cut off his head. They put him to death in the presence of him and his comrade, and threatened them also with the like. They burned his nails, and put his feet to scald them against the fire, and drove a stake through one of his feet to pin him to the ground." (Hough's Edition of Easton's Narrative, 144.)

Some details similar to these, and to others of the same nature in the "True History" of Mrs. Rowlandson, presently to be mentioned, are presented in a narrative by one Stockwell, of Deerfield, taken by the Indians in this war. It is printed in Blome's "Present State of his Majesty's Isles and Territories in America," p. 221 *et seq.*

CHAPTER V.

After the great battle of the Narragansett fort, the settlements breathed more freely. But by no means could they promise themselves security as yet. Friendly Indians, sent out "to make discovery of the enemy," brought back intelligence that they pretended to be expecting assistance from the French, and that they meant soon to fall upon the western line of the seaboard settlements; that "the old men were weary of the war, but the young men were for the continuance of it"; and that "it was reported there were seven hundred fighting-men, well armed, left of the Narragansetts."[1] 1676. January.

At Wickford, to which place the colonial force had returned, it "lay still some weeks, bread for the soldiers being wanting, by reason the extremity of the weather was such as that the vessel laden with provision could not reach them."[2] Many of the wounded were taken over to Rhode Island, for better nursing than the camp allowed.[3] The Connecticut troops, "much disabled with tedious storms, and Withdrawal of the troops from the field.

1 Hubbard, Narrative, &c., 76, 77; Gookin, in Archæol. Amer., II. 486, 487; Mass. Hist. Coll., VI. 205 – 208.

2 Mather, Brief History, &c., 21; comp. Hubbard, Narrative, &c., 55. — "It mercifully came to pass that Captain Andrew Belcher arrived at Mr. Smith's that very night [the night after the battle] from Boston, with a vessel loaden with provisions for the army, who must otherwise have perished for want." (Church, Entertaining Passages, &c., 17; comp. Dudley's letter, in Hutch. Hist., I. 274.)

3 Of these were Captain Church (Entertaining Passages, 17) and Major Bradford. (Letter of Bradford, in Morton's Memorial, Davis's edit., 434; comp. New and Further Narrative, &c., 2, where the inhospitality of "some churlish Quakers" of Rhode Island is complained of.)

no lodgings, and frozen and swollen limbs," were withdrawn by their commander to Stonington.[1] The forces from Massachusetts and Plymouth still kept the field; but to little profit, for the enemy had dispersed in all directions. Some unimportant skirmishes took place,[2] but again "bread failed, so as that the men were forced to kill horses and feed upon them";[3] and, after a campaign of nearly two months, the Massachusetts troops returned to Boston.[4] The Commissioners then called on the three Colonies for another levy of six hundred men, to rendezvous at Brookfield in three weeks.[5]

February 5.

February 8.

Within the borders of New England, there is no more attractive spot than the site of the town of Lancaster. It lies thirty-five miles west from Boston, where, in an alluvial valley, the beautiful river Nashua receives a large tributary stream before it proceeds on its tranquil way to the Merrimac. The richness of the intervale soil, and the picturesque charm of the surrounding hills, crowned with primitive forests of walnut, chestnut, maple, and evergreens, invited the attention of one of the earliest companies that looked for an inland home.[6]

[1] Joseph Dudley, *ubi supra*; Mather, Brief History, &c., 22.

[2] A True History of the Captivity and Restoration of Mrs. Mary Rowlandson, Preface.

[3] Indeed the keepers at home were but ill provided. Their usual sources of supply were checked. "Connecticut, having the enemy upon their backs, deny us corn, and from New York we expect none, so that, without foreign supplies, many must starve." (MS. letter of R. Wharton, Boston, February 10, 1676, in Colonial Papers, &c.) The exportation from Massachusetts of "all sorts of provisions, except fish and mackerel," was now forbidden. (Mass. Rec., V. 52.)

[4] Mather, Brief History, &c., 22; Hubbard, Narrative, &c., 55–60. They had been reinforced while at Wickford. "January 10th, fresh supplies of soldiers came up from Boston, wading through a sharp storm of snow, that bit some of them by the heels with the frost." (Ibid., 58.)

[5] Records, &c., in Hazard, II. 538. The Commissioners seem to have called for an additional thousand men six days after the swamp-fight (Mass. Arch., LXVIII. 105); but this does not appear from their records.

[6] In 1643, "others of the same town [Watertown] began also a plantation at Nashaway." (Winthrop, History, II. 151.)

As early as the twenty-fifth year after the planting of Salem, Mr. Joseph Rowlandson[1] was preaching to nine families of pioneers at Nashua, as the place was then called. Five years later, Major Willard, of Concord, removed to Lancaster, and continued to make it his residence for many years.[2] At the time now under consideration it contained some fifty houses,[3] and between two hundred and fifty and three hundred inhabitants.[4] 1654.

When the troops who had been in the Narragansett country were withdrawn from the field, information was brought by spies that the Indians were intending to destroy Lancaster.[5] Mr. Rowlandson had already been sent by his neighbors to Boston, to represent their exposed condition. But the government moved too slowly. Rowlandson was still absent in attendance upon them, and Wadsworth, with a party of forty men, was still on his way for their relief,[6] when an overwhelming force of Indians attacked the town. Rowlandson's wife was there, and a record afterwards composed by her of her observations and experiences while in the hands of the savages constitutes the most circumstantial account that has been transmitted of their manner of life at that time.

The party which attacked Lancaster came upon it at sunrise. The first thing they did was to set fire

1 Rowlandson took his bachelor's degree at Harvard College, in 1652, being the only graduate of that year. While a senior sophister, he got himself into trouble by a foolish *pasquinade* against the Magistrates, in prose and verse, which he fastened to the door of the meeting-house in Ipswich. He was detected, and punished by a fine, part of which, remaining still unpaid, was remitted by the Court after he became the grave minister of Lancaster. (Extract from the Records of the Court of Essex County in the Appendix to "Narrative of the Captivity and Removes of Mrs. Mary Rowlandson.")

2 Willard, Willard Memoir, 237, 238. He removed to Groton three or four years before this war.

3 Hubbard, Narrative, &c., 136.

4 Willard (Address in Commemoration of the Two Hundredth Anniversary, &c.) reckons the number of inhabitants at over three hundred.

5 Mather, Brief History, &c., 22; Letter of Hinckley in Davis's Morton, 436.

6 Gookin, in Archæol. Amer., II. 490.

to the houses on the outskirts. "There were five persons taken in one house; the father and mother and a sucking child they knocked on the head; the other two they took, and carried away alive. . . . . Another there was, who, running along, was shot and wounded, and fell down; he begged of them his life, promising them money, as they said, but they would not hearken to him, but knocked him on the head, stripped him naked, and split open his bowels."[1] Rowlandson's house, standing on the border of a brook, was fortified, and several of the neighbors took refuge in it on the first alarm. After besetting it for two hours, and shooting down several of the occupants (who at the onset were forty-two in number), the assailants, approaching from a slight eminence behind, succeeded in setting it on fire. Twelve of those within were killed; one only escaped; the rest were carried away by the savages, who before their departure reduced most of the hamlet to ashes.[2] Two other fortified houses escaped the ruin. Before the Indians, who had dispersed in search of plunder, were again collected, Captain Wadsworth came up from Marlborough with his party, and put them to flight.[3] The government sent a force to bring to Boston those of the inhabitants who had escaped; and, after their departure, the remaining buildings were fired by the Indians.

Sack of Lancaster. 1676. February 10.

1 Rowlandson, True History, &c., 3.

2 "None of the women were abused or murdered but one that was big with child," &c. (Hubbard, Narrative, &c., 136.) The proceeding here referred to is related by Mrs. Rowlandson (p. 8). "She having much grief upon her spirits about her miserable condition, being so near her time, she would be often asking the Indians to let her go home. They, not being willing to that, and got vexed with her importunity, gathered a great company together about her, and stripped her naked, and set her in the midst of them. And when they had sung and danced about her, in their hellish manner, as long as they pleased, they knocked her on the head, and the child in her arms with her. When they had done that, they made a fire, and put them both into it, and told the other children that were with them, that, if they attempted to go home, they would serve them in like manner. The children said she did not shed one tear, but prayed all the while."

3 Gookin, in Archæol. Amer., II. 490; Willard, Centennial Address, 94.

Mrs. Rowlandson was among the captives. She came out of the garrison house, carrying in her arms her daughter, six years old. A bullet struck the child, and entered her own side. The next morning, she writes, "one of the Indians carried my poor wounded babe upon a horse; it went moaning all along, 'I shall die, I shall die.' I went on foot after it with sorrow that cannot be expressed. At length I took it off the horse, and carried it in my arms till my strength failed me, and I fell down with it. . . . . After this it quickly began to snow, and when night came on they stopped. And now down I must sit in the snow, by a little fire, and a few boughs behind me, with my sick child in my lap, and calling much for water, being now, through the wound, fallen into a violent fever; my own wound, also, growing so stiff that I could scarce sit down or rise up; yet so it must be that I must sit all this cold winter night upon the cold snowy ground, with my sick child in my arms, looking that every hour would be the last of its life, and having no Christian friend near me either to comfort or help me. Oh, I may see the wonderful power of God that my spirit did not utterly sink under my affliction; still the Lord upheld me with his gracious and merciful spirit."[1]

Captivity of Mrs. Rowlandson.

For three days neither mother nor child had anything to sustain life, "except only a little cold water."[2] The Indians desired to preserve the mother for the sake of a ransom; but they were impatient of her grief, and one after another would come to her and say, "Your master will knock your child on the head." At one of the places where they made a halt was an empty wigwam. Thither, continues the sad narrative, "I went with a very heavy heart, and down I sat with the picture of death in my lap. About two hours in the

[1] Rowlandson, True History, &c., 4. [2] Ibid., 5.

night my sweet babe like a lamb departed this life, it being about six years and five months old. It was nine days from the first wounding in this miserable condition, without any refreshing of one nature or another, except a little cold water. I cannot but take notice how at another time I could not bear to be in a room where a dead person was; but now the case is changed; I must and could lie down with my dead babe all the night after. I have thought since of the wonderful goodness of God to me in preserving me so in the use of my reason and senses in that distressed time, that I did not use wicked and violent means to end my own miserable life. . . . . I went to take up my dead child in my arms to carry it with me, but they bid me let it alone. There was no resisting, but go I must, and leave it."[1]

For two months, the party to which Mrs. Rowlandson was a prisoner wandered about, with no apparent aim, unless it were to escape pursuit. They travelled for the most part in the neighborhood of Connecticut River, but at one time came as far east as Mount Wachusett. They had brought away abundance of all sorts of stores from Lancaster; but these, with that marvellous stupidity as to the future which belonged to their race, they presently wasted,[2] and they were soon reduced to a scanty supply of acorns and ground-nuts, and, in the frequent failure of this resource, were fain to support life on the most odious garbage.[3] Mrs. Rowland-

[1] Rowlandson, True History, &c., 5, 6.

[2] Ibid., 3.

[3] "They boiled an horse's leg (which they had got) and so we drank of the broth, as soon as they thought it was ready." (Ibid., 9.) "There came an Indian to them at that time, with a basket of horse-liver; I asked him to give me a piece. 'What (says he), can you eat horse-liver?' I told him I would try, if he would give me a piece, which he did, and I laid it on the coals to roast; but before it was half ready, they got half of it away from me; so that I was forced to take the rest and eat it as it was, with the blood about my mouth." (Ibid., 10.) "There sat an Indian boiling of horse-feet, they being wont to eat the flesh first, and, when the feet were

son saw Philip two or three times, but not in circumstances to stimulate the sentiment of hero-worship.[1] At the end of nearly three months,[2] she was ransomed for twenty pounds, and joined her husband at Boston.[3] May 2.

The incidents of this sad history may be taken for a sample of the experience of the numerous English captives in this war who have left no record of what they endured and what they witnessed. After the assault upon Lancaster, the course of devastation turned eastward. Sudbury and Chelmsford were attacked. At

old and dried, and they had nothing else, they would cut off the feet and use them. I asked him to give me a little of his broth or water they were boiling in. He took a dish and gave me one spoonful of samp. . . . . He gave me also a piece of the ruffe or ridding of the small guts, and I broiled it on the coals." (Ibid., 21.) "Their chief and commonest food was groundnuts; they eat also nuts and acorns, artichokes, lily roots, ground beans, and several other weeds and roots that I knew not. They would pick up old bones, and cut them in pieces at the joints, and if they were full of worms and maggots, they would scald them over the fire, to make the vermin come out, and then boil them, and drink up the liquor, and then beat the great ends of them in a mortar, and so eat them. They would eat horses' guts and ears, and all sorts of wild birds which they could catch. Also bear, venison, beavers, tortoise, frogs, squirrels, dogs, skunks, rattlesnakes; yea, the very bark of trees; besides all sorts of creatures, and provisions which they plundered from the English." (Ibid., 28, 29.)

1 "Philip spake to me to make a shirt for his boy, which I did; for which he gave me a shilling. I offered the money to my mistress, but she bade me keep it, and with it I bought a piece of horse-flesh. Afterwards he asked me to make a cap for his boy, for which he invited me to dinner. I went, and he gave me a pancake about as big as two fingers. It was made of parched wheat, beaten, and fried in bear's grease; but I thought I never tasted pleasanter meat in my life." (Ibid., 12; comp. 11.)

2 "I was with the enemy eleven weeks and five days, and not one week passed without their fury and some desolation by fire or sword upon one place or other. They mourned for their own losses, yet triumphed and rejoiced in their inhuman and devilish cruelty to the English." (Ibid., 29.)

3 Ibid., 32. Their son and daughter, who had been carried off at the same time, were also soon redeemed. The Old South Church in Boston hired a house for the family. While his wife was in captivity, Rowlandson declined the place of chaplain to the forces. (Mass. Rec., V. 75.) In the following year he removed with his family to Wethersfield, where before the end of another year he died. — For the manner of ransoming captives, see Hubbard, Narrative, &c., 81, 82; Gookin, *ubi supra*, 507, 508; Mass. Rec., V. 82, 83.

day-break,[1] while the villagers were asleep, an onset was made upon Medfield. Twenty English people were killed, and half the town was laid in ashes, before the ravagers were repulsed. At Weymouth, where they burned seven or eight buildings, they made their nearest approach to Boston. The deserted dwellings in Mendon were given to the flames. At Eel River, in the outskirts of Plymouth, eleven Englishmen were massacred. In the opposite direction from Boston, the forty houses which constituted the settlement at Groton were all consumed; only one inhabitant, however, being killed, and two wounded. An assault upon Northampton was unsuccessful. Five Englishmen were killed there, and as many wounded; but the Indians were driven off, leaving the dead bodies of eleven of their number. Passing into Rhode Island, the savages appeared at Warwick, and burned every house there except one. The destruction of all the remaining English houses between Narragansett Bay and the Pawcatuck River immediately followed.[2]

Progress of the war.
February 21.
February 25.
March 12.
March 13.
March 14.
March 17.

[1] A house now standing in Medfield is reported to have been there at the time of this foray. (Boston Historical Collections, &c., 473.) But enlargements in modern times have destroyed the identity of the building, whatever was its original date.

[2] Mather, Brief History, &c., 23, 24; Hubbard, Narrative, &c., 72–75, 135–137. In the Hutchinson Papers in the Library of the Mass. Hist. Soc. (II. 282) is the following letter, addressed, "These for the Governor, living at Boston," and indorsed, "Second letter from the Indians, rec^d 27 2'mo. [April] 76." (Comp. Rowlandson, True History, &c., 22, 23.) I do not know whether it was dictated by Philip: —

"For the Governor and the Council at Boston.

"The Indian Tom Nayonnomy [?] and Peter Tetchquannoa [?] hath brought us letter from you about the English, especially for Mrs. Rolanson: the answer is, I am sorrow that I have done so much wrong to you, and yet I say the falte is lay upon you, for when we begun the quarel at first with Plymouth men, I did not think that you should have so much trouble as now is: therefore I am willing to hear your desire about the captives. Therefore we desire you to sent Mr. Rolanson and goodman Kettel [comp. Rowlandson, True History, &c., 25] for their wives, and those Indians

As spring approached, the full activity of the war revived. The new year, as in that age it was reckoned, had a doubly calamitous opening. While the people of Marlborough were at their Sunday worship, March 26. the stealthy enemy crept out of their covert, and fired the town; and the destruction was so complete, that the inhabitants abandoned their settlement, and "another candlestick was removed out of his place."[1] At the same hour, a still heavier disaster was experienced elsewhere. The government of Plymouth, perceiving the tide of war to be turning again in the direction of their country, despatched Captain Pierce, of Scituate, in command of fifty Englishmen and twenty friendly natives, to Pawtuxet. He fell in with a party of natives, headed by the Narragansett chief, Canonchet, and engaged them. They appeared to retreat, and so lured him into an ambush, where he was surrounded by greatly superior numbers, and was killed, with eight of his Indians and all of his English companions but one, at the cost to the enemy, as was reported, of the lives of a hundred and forty.[2] This was the most serious single disaster sustained by Plymouth Colony during the war. Nor was it the last misfortune of that unhappy day. Eighteen English people were riding into Springfield to attend divine service, when they were fired upon from a hiding-place; and two of the company were killed on the spot, and four others — two women with their children — fell into the hands of the ravagers, and were put to death.[3]

Tom and Peter to redeem their wives; they shall come and goe very safely: whereupon we ask Mrs. Rolanson how much your husband willing to give for you; she gave an answer 20 pound in goods; but John Kettle wife could not till.

"And the rest captives may be spoken of hereafter."

1 Mather, Brief History, &c., 24.

2 Hubbard, Narrative, &c., 64–66; Mather, Brief History, &c., 25. From a letter of Mr. Newman of Rehoboth, written the day after the fight, it would appear that the English loss was not altogether so great as it was reported. The letter is printed by Mr. Deane, in his History of Scituate, 122.

3 "The next day, those Indians were

On the night after their exploit at Marlborough, the Indians, some three hundred in number, encamped near that place, between it and Sudbury, a plantation ten miles distant from Marlborough to the east. Forty men, marching from Sudbury in quest of them, and guided by their fires, came upon them by surprise just before the dawn of the next day. "God so disposed of the bullets that were shot at that time," that, according to information afterwards obtained from prisoners, "no less than thirty Indians were wounded, of whom there were fourteen that died." No Englishman was hurt.[1] The next day, a marauding party appeared on the border of Rhode Island, and burned forty houses at Rehoboth. On the two following days, they fired the town of Providence in different quarters, and thirty or forty houses were consumed. In one of them were the early records of the settlement.[2]

March 27.

March 28.

March 29, 30.

In the same predatory way the war was prosecuted on the part of the savages for two months more. Wrentham, Seekonk, Plymouth, Andover,[3]

April and May.

pursued; but when the English came in sight, those barbarous wretches hasted to run away; but, before, they knocked the two children on the head, as they were sucking their mothers' breasts, and then knocked their mothers on the head. Nevertheless, one of them was alive when the soldiers came to her." (Mather, Brief History, &c., 25; Hubbard, Narrative, &c., 77, 78.) The portion of this party that escaped were blamed (Hubbard thinks, unjustly) for forsaking their companions in a cowardly manner.

[1] Ibid., 79; Mather, Brief History, &c., 26.

[2] Ibid. See above, Vol. I. p. 424. Roger Williams had come from the Narragansett country into Providence, and was there made Captain of a train-band. (Pitman, Discourse delivered at Providence, &c., 57.) Hutchinson says (Hist. I. 275), "His [Philip's] affairs were now at the highest flow, and those of the English never at so low an ebb" as now. And such was the judgment of Hubbard (Narrative, &c., 67, 76), and of Mather (Brief History, &c., 29).

[3] At Andover, "to show what barbarous creatures they are, they exercised cruelty towards dumb creatures. They took a cow, knocked off one of her horns, cut out her tongue, and so left the poor creature in great misery. They put an horse, ox, &c. into an hovel, and then set it on fire, only to show how they are delighted in exercising cruelty." (Mather, Brief History, &c., 26.)

Chelmsford, Sudbury, Scituate, Bridgewater,[1] and Middleborough were wholly or partly sacked and burned. The Indians, in their knowledge of the country, and their facilities for concealment and for falling suddenly on the fixed residences of their enemy, had the same immense advantage that, a century and a half later, involved the United States of America in an expenditure of millions of dollars, and of thousands of lives, before they could subdue a few hundreds of wretched native vagabonds in Florida. But, on the other hand, Philip's adherents, dispersed more or less during the winter months from the places where their supplies — scanty at the best — had been hitherto found, were now distressed for want of food;[2] and the constancy of the whites, tracking them to their dens with indefatigable diligence, speedily recovering every available point of defence that had been surrendered, and reinforced, as often as was necessary, with means of living and munitions of war, was telling with dispiriting effect upon a rout of barbarians who had no ground for reliance on each other's fidelity, and no basis for their own resolution better than a love of rapine and of blood.

Exploits of Connecticut volunteers.

With returning spring, the Connecticut troops, who, after the fight at the Narragansett fort, had withdrawn to their Colony, came again into the field. Captain George Denison[3] marched towards Plymouth at the head of a small party of Eng-

1 "When Bridgewater was assaulted, and in danger of being laid waste, God sent thunder and rain from heaven, which caused the Indians to turn back." (Mather, Historical Discourse concerning the Prevalency of Prayer, 8.)

2 Hubbard, Narrative, &c., 81, 82. Gookin says (*ubi supra*, 509, 510) that a dissension had grown up between Philip and some other Sachems about the ransoming of captives, — a proceeding to which Philip was opposed; and that this dispute was "a means under God to weaken and destroy them."

3 George Denison was brother of Major-General Denison of Massachusetts. He was reputed to be a positive and wilful man, but possessed uncommon energy and capacity. The year before, he had fallen under the censure of the government. (Conn. Rec., II. 258, 259, 577.)

lish volunteers from Stonington, Norwich, and New London, and of some auxiliary natives of the Mohegan and Pequod tribes, and of the subjects of Ninigret, the Nyantic Sachem, who, throughout this war, acted a friendly part, troublesome as he had been found in earlier times.

April 6. In the Narragansett country, Denison fell in with some hostile Indians, of whom he killed and took prisoners forty-five. Among the captives was the Sachem Canonchet, just returned from the slaughter of Captain Pierce's party. His perfidy in respect to the late treaties was thought to have forfeited for him all claim to mercy; and he was taken to Stonington, and there put to death by the native allies of his enemy.[1]

April 27. Pursuing his way, Denison encountered and defeated another force of the Indians, killing and taking captive seventy-six of their number. Two Narragansett sachems were among the prisoners.[2]

Two important successes, however, the Indians had after the tide thus turned against them. Captain Wadsworth, of Milton, with seventy men, had been left at Marlborough, "to strengthen that frontier."[3] Hearing there that the enemy had appeared at Sudbury, he "marched in the night with all the speed he could." The next afternoon, he fell in with about a hundred Indians. They broke and fled before his attack, as was usual with them when confronted with anything like an equal force. Incautiously he

Defeat of Captain Wadsworth.

April 18.

[1] Mather, Brief History, &c., 26, 27. "The Mohegans and Pequods that had the honor to take him prisoner having the honor likewise of doing justice upon him, and that by the prudent advice of the English commanders, thereby the more firmly to engage the said Indians against the treacherous Narragansetts." (Hubbard, Narrative, &c., 67.) In another place (Postscript to Narrative, 8), Hubbard says that Canonchet was now offered his life, "upon condition of compliance with the English," which he refused.

[2] Hubbard, Narrative, &c., 68; Mather, Brief History, &c., 27, 28. Hutchinson (Hist., I. 276) attaches special importance to Denison's campaign.

[3] The "frontier towns" as designated by an order of the General Court, were at this time "Medfield, Sudbury, Concord, Chelmsford, Andover, Haverhill, Exeter." (Mass. Rec., V. 79.)

pursued them into the woods, where he found himself surrounded by as many as five hundred assailants. He drew his men off to a hill, and there continued the contest as long as daylight lasted, killing, as a prisoner afterwards reported, a hundred and twenty of the enemy. But the combatants were too unequally matched.[1] Only twenty Englishmen escaped. Wadsworth and his lieutenant were among those slain on the field. Five or six of their comrades were less fortunate. The victors "carried them away alive, but that night killed them in such a manner as none but savages would have done. For they stripped them naked, and caused them to run the gantlet, whipping them after a cruel and bloody manner, and then threw hot ashes upon them, cut out the flesh of their legs, and put fire into their wounds, delighting to see the miserable torments of wretched creatures."[2]

As the spring advanced, a large English force, consisting of four companies from Massachusetts and four from Connecticut, was stationed in the towns of Northampton, Hatfield, and Hadley. From time to time, small parties of the enemy attacked their outposts, but without gaining any considerable advantage. An inhabitant of Hadley, carried off by the savages

Transactions on Connecticut River. April 27.

[1] The author of the "New and Further Narrative," &c., adds (10), that, to dislodge the English from their advantageous post on the hill, the Indians "set the woods on fire to the windward of our men, which, by reason of the wind blowing very hard, and the grass being exceeding dry, burned with a terrible fierceness, and with the smoke was like to choke them."

[2] Mather, Brief History, &c., 27; Boutwell, Address at Sudbury, in 1852; Gookin, *ubi supra*, 510, 511. The defeat of Wadsworth renewed the fears of the government. On the following day, the Magistrates met, and gave orders for some extraordinary military precautions for "the securing of the several plantations upon the day of public election now drawing near." And they recommended to the freemen to stay at home and send their votes by proxy. (New and Further Narrative, 11.) Captain Mosely petitioned the General Court, which met immediately after, for authority to raise a force of volunteers, and to employ them as an independent command, with certain other special privileges. (Mass. Rec., V. 94, 95.)

in one of these forays, effected his escape, and brought intelligence that a numerous party of them were planting and fishing by the upper falls of the river Connecticut, where that stream now divides the towns of Gill and Montague. Captain Turner,[1] of Boston, in command of the English force in the upper towns, at once resolved to attack them. Accordingly, he took a hundred and eighty troopers, and, by a night march of twenty miles, came in sight of the Indian camp just at daylight. The surface of the ground was such as required that it should be passed on foot. Dismounting, the party tied their horses, and were still unobserved, till, having reached the edge of the camp, they disturbed its repose with a volley of musketry. The enterprise thus far was completely successful. The Indians, in their sudden terror, made a feeble and useless resistance. Numbers perished by shot and by the sword. A crowd rushed to the river, where some escaped in their canoes; others were carried over the falls and drowned; others, swimming for life, were reached by the bullets of the marksmen lining the shore. By the musket, the sword, and the water, three hundred Indians perished in this action. The English lost one man only. The affair derived further importance from being attended with a destruction of a large store of the enemy's supplies of food and ammunition.[2]

May 15.

Battle at Turner's Falls.

May 18.

1 Turner was the Baptist so troublesome eight years before. (See above, p. 65). "A tailor by trade, but one that for his valor has left behind him an honorable memory." (New and Further Narrative, 12.) Vice-President Willard did not think so highly of him. (Ne Sutor, &c., 24.) The Baptist historian was naturally biassed in favor of his character and exploits. (Backus, History of New England, I. 428.)

2 "We there destroyed all their ammunition and provision, which we think they can hardly be so soon and easily recruited with as possibly they may be with men. We likewise here demolished two forges they had to mend their arms, took away all their material and tools, and threw two great pigs of lead of theirs (intended for making of bullets) into the river." (New and Further Narrative, &c., 12.)

But the fortune of the day was inconstant. Another party of natives, not far off, heard the tumult and hastened to the scene; and the English presently found themselves so closely pressed by a large hostile force, that they esteemed themselves fortunate to recover their horses, and begin their retreat. All along the line of their march, they were now attacked from various points at once. An Indian prisoner said that Philip was close by with a thousand men. The story passed through the ranks, and increased the panic.[1] Captain Holyoke, the second in command, was charged to protect the rear. His column was nearly surrounded, and he was himself about to be cut off, when, by shooting the foremost of several Indians who were close upon him, he checked their advance. His force broke up into small parties. One party was cut to pieces as it was passing through a morass. Another, forced to surrender, was doomed to a worse fate. Holyoke marched back his surviving men, a hundred and forty in number, to Hatfield. He won enthusiastic praise for the courage and conduct which, in such woful circumstances, had averted worse calamity. But the day was fatal to him. He was only twenty-eight years old; but it broke down his strength, and he died before the winter.[2] Captain Turner was killed in Greenfield meadow. He was feeble from recent illness; and an opinion was entertained at the time, that the fatigue of the night-march, followed by the excitement of battle, and then by exposure to a scorching sun, had incapacitated him for directing the dispositions needful at such a juncture.

The General Court of Massachusetts, now in session, was adopting the most vigorous measures. Not content with unsparingly pressing men and supplies for the camp, they empowered town officers "to impress

1 Hubbard, Narrative, &c., 84 – 86. Mather, Brief History, &c., 29 – 31.

2 Holland, History of Western Massachusetts, I. 125.

men for the management and carrying on of the husbandry of such persons as were called off from the same into the service, who had not sufficient help of their own left at home to manage the same." They provided for the punishment by fines of every impressed person who failed to report himself for duty; if his neglect was "accompanied with refractoriness, reflection, or contempt upon authority," he was to suffer death or some other grievous punishment. Men driven from their homes by the enemy were to be enrolled for military duty in the places of their refuge. All persons, under the penalty of confiscation of all their property, were forbidden to trade with Indians, except such as were in the service or the custody of the government. No person could leave the town he belonged to without permission from the local military committee.[1] The General Court invited Plymouth and Connecticut to make new exertions. And they charged some messengers sent to the Indians with offers of a treaty, to manage the business "with clearness and confidence, that so no panic, fear, or weakness of mind might appear; and let them know that the English were resolved to make war their work, until they enjoyed a firm peace."[2]

May 30.

The last considerable success obtained by the Indians was that which has just been related. Emboldened by it, they attacked Hatfield with a force of six or seven hundred men, and fired several buildings. The flames were seen at Hadley, and twenty-five men were despatched to relieve the place. On their way they came upon a detachment of a hundred and fifty of the savages, killed twenty-five of them, and put the survivors to rout, with a loss of five of their own number killed, and three wounded; after which the inhabitants, thus reinforced,

Declining prospects of the Indians.

[1] Mass. Rec., V. 78–81. [2] Ibid., 92, 94.

drove the ravagers from the town.[1] One more attack concluded their series of operations on Connecticut River. After the affair at Turner's Falls (so called from the name of the commander in the late battle), Major Talcot,[2] with a force of two hundred and fifty English soldiers and two hundred Mohegans, was despatched to the scene of war, with instructions to form a junction at Brookfield with Captain Henchman, who was leading thither a force from Boston.[3] On their way, both had successful engagements with the enemy, the former killing and capturing more than fifty of them in what is now the town of Dudley,[4] and the latter killing six, and making twenty-nine prisoners, near Lancaster.[5] Talcot, who did not fall in with the Massachusetts troops, had been at Hadley only a day or two when that place was set upon by a force of Indians, said to be seven hundred strong. They divided themselves into two parties, one of which lay in ambush at one end of the town, while their comrades made an open assault at the other end. The assailants overleaped a palisade by which the group of dwellings was surrounded; but the discharge of a cannon threw them into disorder, and they presently fled in all directions. It was said that they lost thirty men, while only three or four of the English fell, and this in consequence of their having rashly continued a pursuit too far.[6]

June 5.

June 9.

June 12.

1 Mather, Brief History, &c., 30; Hubbard, Narrative, &c., 86; Letter of Captain Newbury, in Conn. Rec., II. 450.

2 John Talcot, of Hartford, was appointed commander-in-chief of a force of three hundred and fifty men, which the government of Connecticut passed an order to raise on the 15th of May. (Conn. Rec., II. 278, 279.) He marched the first week in June. (Ibid., 450.) On the 20th of May, after Turner's disaster, Captain Newbury, of Windsor, had been ordered to lead eighty men to Northampton and Hadley, at the request of the inhabitants of those towns. (Ibid., 442, 443.)

3 Hubbard, Narrative, &c., 86. Comp. Mass. Rec., V. 96.

4 Letter of Talcot, in Conn. Rec., II. 453.

5 Mather, Brief History, &c., 32; Hubbard, Narrative, &c., 86.

6 Mather, Brief History, &c., 33.

In other quarters the savages were generally no more successful. The loss experienced by them at the falls of the Connecticut, notwithstanding the turn in their favor, had crippled them severely. Several of their chiefs had fallen there, and the principal fishing-place of the region had been rendered insecure for their use. It was already late in the season for planting, and no time was to be lost in repairing to their several homes, if they were to raise any crop for their subsistence in the coming winter. Small parties, on their way to lands heretofore used for this purpose, or wandering about the country in search of food wherever it might be found,[1] were hunted by the better-provided Englishmen, and broken up one after another. Captain Brattle surprised a party who were fishing near Rehoboth.[2] At Norwich, seventy hostile Indians appeared, and made a voluntary surrender. In four engagements within a week, one near Marlborough, two in the Narragansett country, and a fourth near Providence, Major Talcot killed two hundred and fifty of the enemy.[3] "Two hundred Indians came and submitted themselves to mercy, in Plymouth Colony, being partly necessitated thereunto by the distresses which God, in his holy providence, had brought them into."[4] Captain Church, who was now for a third time in the field, was making prisoners of straggling parties of Philip's own tribe.[5] James

May 23.

June 16.

June 26.
July 2.
July 4.

July 6.

1 See Captain Henchman's letter of June 30, in Hubbard, Narrative, &c., 86.

2 Mather, Brief History, &c., 31.

3 Ibid., 39; Hubbard, Narrative, &c., 97.

4 Mather, Brief History, &c., 40.

5 Church had been in Rhode Island, taking care of the wound he had received at the Narragansett Fort. Convalescing, he undertook the hazardous service of going into the country of Awashonks, Squaw Sachem of Saconet [Little Compton], to endeavor to detach her and her people from Philip, a project in which he succeeded. (Entertaining Passages, 21 – 30.) July 24 [14th], 1676, (Ibid., 31; comp. Davis's Morton, 441, note,) he was commissioned by the Governor of Plymouth to raise and command a force of two hundred men; not more than sixty of them to be English, the rest to be Indians.

the Printer, with a hundred and forty followers, surrendered on the faith of a proclamation, in which the government had offered pardon to such Indians in arms as should come in and yield themselves.[1] July 1.

James was a Praying Indian, of Hassanamissit (now Grafton), who had acquired the addition to his name by being employed as an assistant at Cambridge in the printing of Eliot's translation of the Bible. In the war which was now approaching its termination, the Praying Indians had not proved so faithful to their English friends as was hoped when it broke out. So fully had they been trusted, that, at the beginning of hostilities, a company of them, fifty in number, was raised for service against Philip.[2] But it was known that some of the professed converts were concerned in the early attack on Mendon, and from that time their movements were observed with anxious vigilance. Frequently the marauders in the Nipmuck country were recognized as Indians who had professed Christianity; nor in that region was it found that there was any community, or any considerable number, of natives who could be relied upon as allies by reason of the bonds of a common faith.[3] The restraint which, after the assault on

Position of the Praying Indians.

1675. July

1 Mather, Brief History, &c., 39.

2 Gookin, History of the Praying Indians, in Archæol. Amer., II. 442.

3 Their alleged treachery at Brookfield and at Springfield (see above, pp. 159, 171) occasioned special indignation, though Gookin says (Archæol. Amer., II. 454) of the guilty persons in that region: "There was not one of them, that ever I heard of, that was a pretender to Christian religion." Mrs. Rowlandson, whose now ruined home was in the midst of the Nipmuck converts, did not regard them kindly. "Those even that were killed at Lancaster on a Sabbath day, and the one that was afterwards killed upon a week day, were slain and mangled in a barbarous manner, by One-Eyed John and Marlborough's Praying Indians, ... as the Indians told me." (Rowlandson, Narrative, &c., 10.) "My daughter Mary was taken from the door at first by a Praying Indian, and afterwards sold for a gun." (Ibid., 13.) — "It was a Praying Indian that wrote their letters for them. There was another Praying Indian, who told me that he had a brother that would not eat horse, his conscience was so

Brookfield, it was thought needful to impose on the professed converts, would have been harsh, if it had not seemed to be demanded by the necessity of the case. All the Christian Indians of the Nipmuck tribe were required by the Magistrates to come together at five places that were named, and there build their wigwams in compact settlements. They were not to go from these more than a mile's distance, unless accompanied by an Englishman; and if they violated this regulation, they were liable to be imprisoned or put to death. They were to extend no hospitality to other Indians, and they were charged to disclose to the English all that they should learn of the enemy's designs.[1] Such precautions proved insufficient, and at one time no fewer than two hundred went off in a body to the hostile camp.[2] Some Pray-

August 30.

November.

tender and scrupulous, though as large as hell for the destruction of poor Christians; then he said he read that Scripture to him (2 Kings vi. 25), 'There was a famine in Samaria, and behold they besieged it, until an ass's head was sold for fourscore pieces of silver, and the fourth part of a cab of dove's dung for five pieces of silver.' He expounded this place to his brother, and showed him that it was lawful to eat that in a famine which it is not at another time. 'And now,' says he, 'he will eat horse with any Indian of them all.' There was another Praying Indian, who, when he had done all the mischief that he could, betrayed his own father into the English's hands, thereby to purchase his own life. Another Praying Indian was at Sudbury fight, though, as he deserved, he was afterward hanged for it. There was another Praying Indian so wicked and cruel as to wear a string about his neck, strung with Christian fingers." (Ibid., 23.)

1 Gookin, in Archæol. Amer., II. 453. The General Court, when it met in October, added some further regulations. (Mass. Rec., V. 46, 47.)

2 Willson, Sermon preached in Grafton, &c., 8; Brigham, Address delivered before the Inhabitants of Grafton, pp. 8, 9. Gookin, however (*ubi supra*, 476, 477) denies that this desertion was voluntary. My ancestor, John Gorham, sent into the Nipmuck country in September, at the head of a hundred Plymouth men, to destroy the enemy's standing corn, was thought by Gookin to have been too indiscriminate in his devastations, and so to have given offence to the Indian friends of the English. (Gookin, *ubi supra*, 467.) Mosely and Henchman fell under the same condemnation (Ibid., 502); the latter, to the extent of a charge of violating his orders. In fact, the difficulty of knowing who were friends and who foes was one of the great perplexities of the time. While the government intended to go no further than the exigency required, it would be too much to expect that the infuriated people

ing Indians, on the other hand, served the English well as soldiers and as spies; while some, loving mischief more than they cared at whose cost it was done, joined the one side or the other from time to time, according as they were allured by the prospect of plunder.[1]

The assault on Springfield by Indian neighbors who had always been relied upon as friends, increased the consternation and distrust. It is of the nature of perfidy that the punishment extends further than the crime. In circumstances of serious hardship to them, the converts at Natick and some other towns were now withdrawn

would not be sometimes cruel. Extreme terror and uncertainty prevailed. The friends of one day were enemies in the next; and the most formidable quality of the Indian was his treachery. In such circumstances, it could not be but that unjust suspicions would sometimes arise. The Indians at Wamesit (Tewksbury), on the Merrimac, suffered undeserved hardships from their neighbors at Chelmsford (Willard, Willard Memoir, 260–263; Gookin, *ubi supra*, 471, 482, 484, 492, 514); and the Magistrates were convinced of this, and interfered — not with complete success — for their protection. Eliot and Gookin (see Mass. Arch., XXX. 173) were constantly interposing their good offices to appease the prevailing resentment against the professing converts under their charge, and incurred great obloquy for their exertions in the matter, especially the latter, who, Magistrate as he was, said at one time that he was "afraid to go about the streets." (Gookin, *ubi supra*, 449; comp. Francis, Life of Eliot, in Sparks's American Biography, V. 276.) His life was actually threatened. (Mass. Arch., XXX. 192–197.) The writer of the "Present State of New England" (12, 13) reflects the hostile feeling of the time towards this good man. "Mr. Eliot and Captain Guggins pleaded so very hard for the Indians [a party captured by Mosely in August, 1675], that the whole Council knew not what to do about them. They hearkened to Mr. Eliot for his gravity, age, and wisdom, ... but for Captain Guggins, why such a wise Council as they should be so overborne by him cannot be judged otherwise than because of his daily troubling them with his impertinences and multitudinous speeches; insomuch that it was told him on the bench by a very worthy person there present [Captain Oliver] that he ought rather to be confined among his Indians than to sit on the bench; his taking the Indians' part so much hath made him a by-word both among men and boys." The writer liked Mr. Hezekiah Usher's phrase "*Preying* Indians." (Ibid., 19.) Thomas Danforth, who was always just and brave, fell under the same condemnation, and his life too was threatened. Written placards were posted up in Boston (January 28, 1676), giving notice that "some generous spirits" had "vowed the destruction" of Gookin and him. (Mass. Arch. XXX. 193.)

1 Hubbard, Narrative, &c., 41.

to Deer Island in Boston Harbor.[1] A number of the Christianized natives of Plymouth Colony were in like manner collected at Clarke's Island in the harbor of Plymouth.[2] The Praying Indians on Cape Cod proved themselves worthy of all confidence, nor did the unconverted natives in that region give serious occasion for uneasiness. And so trusted were the converts on Martha's Vineyard, that prisoners, when they became numerous, were sent thither for safe keeping. By the spring, the good conduct of those converts who had been under restraint, and the services of some of their number in the field and otherwise, had conquered the prejudice against them. They were discharged from their imprisonment on the islands, and in larger numbers were taken into the military service, in which they acquitted themselves with fidelity and to good purpose.[3]

1676. May.

1 Mass. Rec., V. 57, 64.

2 Plym. Rec., V. 187.

3 Mass. Rec., V. 86; Gookin, *ubi supra*, 512, 517. "I contend," says this good friend of the converts, "that the small company of our Indian friends have taken and slain of the enemy, in the summer of 1676, not less than four hundred; . . . . . it may be said in truth that God made use of these poor, despised, and hated Christians, to do great service for the churches of Christ in New England, in this day of their trial." (Ibid., 513.) He distinguishes between the "old Praying Indians" near the coast, and "five or six small villages of the Nipmuck Indians that had some people in them inclining to entertain the Gospel, and therefore were called the *new praying towns*"; and he maintains that there was scarcely an instance of unfaithfulness on the part of the former class to the English, while on the other hand they rendered not a few meritorious and important services. (Ibid., 436, 437.) With all his natural bias in the case, he regards the government as having been actuated by a spirit of justice and humanity throughout these difficult transactions, though sometimes driven into too stringent measures by the popular fury. (Ibid., 472, 473, 494.) After the war, the converts were again gathered into settlements of their own. (Ibid., 532.) — Gookin's treatise, which lay in manuscript, and unknown, for a hundred and sixty years, is the *ex parte* statement of an upright, but not unbiassed man. Had it been published at the time, there can be no doubt that it would have provoked more or less reasonable criticism. It, however, preserves much that is noteworthy respecting the sentiments both of the people and of the government; and if it shows that the *Christian Indians*, in the author's limited sense of that designation, were generally faithful to their benefactors, it shows equally that the instructed and domesticated Indians, who do not come within his strict definition, were largely treacherous and hostile.

Philip had never been seen by the English in any battle; nor was it ever certainly known, except on two or three occasions, where and how he was employed while the havoc that has been described was going on.[1] Towards midsummer of the second year of the war, the English had intelligence that he was on his way back to the seat of his tribe. "A captive negro, the week before escaped from Philip," gave information that the chief was preparing to attack Taunton. And so it proved; but, the town having been reinforced meanwhile, the English, without loss to themselves, drove the assailants into the woods.[2] While strong parties, in search of him, scoured the country about Mount Hope,[3] the indefatigable Major Talcot captured sixty rovers in the Narragansett woods;[4] and Pomham, the Narragansett who, thirty-three years before, had surrendered his lands to Massachusetts,[5] but had now assisted in the massacre of the settlers, was overtaken by a party from Dedham and Medfield, and made prisoner with fifty others.[6] The Nipmuck

Return of Philip from the West.

July 11.

July 13.

July 25.

1 A story was current, that no less than fifty of his men had been killed by a party of Mohawks from the West, in retribution of a treacherous act of his. "We hear," writes Mather (Brief History, &c., 38; comp. Hubbard, Narrative, &c., 87), "that Philip, being this winter entertained in the Mohawk country, made it his design to breed a quarrel between the English and them; to effect which, divers of our returned captives do report that he resolved to kill some scattering Mohawks, and then to say that the English had done it. But one of those whom he thought to have killed was only wounded, and got away to his countrymen, giving them to understand that not the English, but Philip, had killed the men that were murdered; so that, instead of bringing the Mohawks upon the English, he brought them upon himself. Thus the heathen are sent down into the pit that they made; in the net which they had laid is their own foot taken; the Lord is known by the judgment which he executeth; the wicked is snared in the work of his own hands. Higgaion Selah." This may be taken for one of the many wild stories born of the stimulated imagination of the time.

2 Mather, Brief History, &c., 41; Hubbard, Narrative, &c., 88.

3 Ibid.

4 Hubbard, Narrative, &c., 98.

5 See above, Vol. II. p. 123.

6 Mather, Brief History, &c., 43; Hubbard, Narrative, &c., 100.

Sagamore John presently came in and surrendered himself, with a hundred and eighty followers.[1] July 27. Engagements still took place in different quarters, but uniformly to the advantage of the English. The enemy was unsupplied, dispirited, without concert, and distressed. It was no longer a war, but a chase. July 30. Some Bridgewater men fell in with Philip. He escaped them, but with the loss of his uncle and ten other men killed, and his sister taken prisoner; and the pursuit was so active that "he threw away his stock of powder into the bushes, that he might hasten his escape."[2]

Captain Church was now close upon his track.[3] On two successive days, Church captured a hundred and fifty of the sachem's people, among whom were his wife and son.[4] Two days later, in a sharp engagement, in which several were killed, he made prisoners of forty more. In the same week, Weetamoo, Squaw Sachem of Pocasset, the widow of Philip's elder brother, and Philip's constant ally, was found drowned in Taunton River. She had attempted to pass over towards Mount Hope on a raft, which proved too slender.[5]

Pursuit of Philip by Church. July 31. August 1. August 3.

With a small band of followers, Philip had come back to his ancient home.[6] Holding the isthmus which was

1 Hubbard, Narrative, &c., 100; Mather, Brief History, &c., 43.

2 Ibid., 44; Hubbard, Narrative, &c., 101.

3 Church's account of his operations for two or three weeks after his recent commission (see above, p. 198, note 5) is prolix. (Entertaining Passages, &c., 31–43.) He "took into the woods and swampy thickets," and killed and captured numbers of the enemy, "never returning empty-handed." His chronology is perplexing, if not incorrect; and here, as in other passages, he tells the story of his youthful exploits in the manner of a garrulous and egotistical old man. But there is no doubt whatever about the great importance of his services. (Mather, Brief History, &c., 46–48; Hubbard, Narrative, &c., 104–109.) Mather and Hubbard wrote long before Church, and they record the judgment of him entertained in their time.

4 Mather, Brief History, &c., 44; Hubbard, Narrative, &c., 100, 102.

5 Ibid., 103.

6 He came by the way of Bridgewater, Middleborough, Taunton, and Tiverton, passing over to Mount Hope [Bristol] by water.

the only avenue for his escape by land, the English pressed him closer every day. One of his tribe, professing to have been offended by the murder of his brother, who was killed by Philip for advising submission, deserted to the English, and offered to guide them to the place of the Sachem's retreat. Church, when the news reached Rhode Island, hastened over to Bristol Neck, where he arrived at midnight. He marched a party to the neighborhood of the designated spot, and there, before dawn, they lay down in the bushes.[1] When day broke, the Indians, perceiving themselves to be so closely beset, rushed from their hiding-place in a disorderly manner, under a heavy fire of those who stopped the way. At one of the points likely to be passed by the fugitives, Church had stationed an Englishman and a friendly Indian, named *Alderman*, who presently saw Philip approaching them, half dressed, and running at full speed. The Englishman's gun missed fire. The Indian's took effect, one bullet passing through the heart of the chief and another lodging in his shoulder. "He fell upon his face in the mud and water, with his gun under him."[2]

Death of Philip. August 12.

"When the English had drove the swamp through, and found the enemy had escaped, or at least the most of them, and the sun now up, and so the dew gone, that they could not so easily track them, the whole company met together at the place where the enemies' night shelter was, and then Captain Church gave them the news of Philip's death, upon which the whole army gave three loud huzzas."[3] Philip's hands were cut off,

1 "That night," writes Mather (Brief History, &c., 46), "Philip, like the man in the host of Midian, dreamed that he was fallen into the hands of the English." Hubbard, too, (Narrative, &c., 103,) inclines to think that Philip had a dream, though of a different tenor. In that time of wild excitement and ready belief, it was easy for fables, some of which still hold their ground, to obtain circulation and credit.

2 Church, Entertaining Passages, &c., 43, 44.

3 Ibid., 45. The great news was sent

and carried to Boston. His head was brought to Plymouth, and there exposed upon a pole, on a day appointed for a public Thanksgiving.[1]

August 28. Not many days afterwards, Church surprised and captured a party, commanded by Annawon, one of Philip's captains, who had escaped with it when the Sachem was killed.[2] Tispaquin, another chief who had been active in the massacres, came in and surrendered himself.[3] Numerous fugitives sought an asylum in Canada and among the Mohawks.[4] Virtually the war in the country of the Pokanokets and of the Nipmucks was brought to an end.[5]

It raged longer, as it had begun later, in a different region, where, from the rough character of the English settlers, it may well be believed that the natives were not without frequent provocation.[6] Intelligence of the outbreak of hostilities in Plymouth Colony reached the Eastern Indians, and made them restless. At length a party of them came to the farm of Thomas Purchas, at what is now Brunswick, and stole some household stores and arms, without how-

The war in Maine. 1675. September 5.

abroad with such despatch, that it reached Boston the same day. "Just now news is brought that this 12th of August, early in the morning, Philip was slain." (MS. Letter to Secretary Williamson, in Colonial Papers, &c.)

1 At this point Mather's "Brief History" ends.

2 Church, Entertaining Passages, &c., 45–52.

3 Ibid., 53.

4 Trumbull, I. 350; Mather, Brief History, &c., 49.

5 "It hath been observed by many," says Mather in a review of the subject (Ibid., 50), "that never any, whether Indians or others, did set themselves to do hurt to New England, but they have come to lamentable ends at last. New England hath been a burdensome stone. All that have burdened themselves with it have been cut in pieces."

6 Cotton Mather (Magnalia, &c., VII. 55) writes in respect to the rising in the Eastern country, "Many rude, wild, and ungovernable English did, unto the extreme dissatisfaction of the wiser sort, rashly add unto the occasions which the Indians also took to grow ungovernable." (Comp. Belknap, History, &c., I. 133.) Hubbard (Narrative, &c., Part. II., p. 29) tells a painful story of what he calls "a rude and indiscreet act of some English seamen." In 1675, there were reckoned thirteen settlements (some of them more properly to be called groups of little fishing stations) in what is now the State of Maine. (Williamson's History, &c., I. 515, note.)

ever offering personal violence to the inmates.[1] At Falmouth lived an old man named Wakely, with his family of nine persons. Some savages attacked and burned his house, and murdered him and his wife, with his son, his daughter-in-law, and three of his grandchildren. The remains of the old people and of their son were found in the ruins of the burned house. Those of the young mother had been shockingly mangled; of two of her children who were at the same time carried off, one was ransomed the next summer, the other was never heard of more.[2] At Saco, at Scarborough, at Wells, at Kittery, at Woolwich, and at other places, the natives committed depredations and butcheries. In three months, they killed eighty Englishmen between the Piscataqua and the Kennebec.[3] Coming further westward, they marked their track with conflagration and murder at Oyster River, Berwick, Salmon Falls, Dover, and Exeter.[4] The General Court of Massachusetts sent commissioners instructed to take measures for a pacification, and at the same time to make arrangements for military operations, should these prove to be necessary in that quarter. A fall of snow, in depth four feet upon a level, was thought to have proved a serviceable peacemaker. Compelled to look to the larger English settlements for supplies of food, the Eastern Indians were glad to make a treaty, in which they stipulated to restore their captives without compensation, and to conduct themselves peaceably in future.[5]

September 12.

September 18.
September 20.

October.

December 10.

They still complained of wrongs received at the hands of white men belonging to some of the ill-regulated

1 Hubbard, Narrative of the Troubles with the Indians in New England from Piscataqua to Pemaquid, 14. This treatise of Hubbard is in the same volume with the other. Henceforward I refer to it as "Narrative, &c., Part II."

2 Ibid., 16; Mather, Brief History, &c., 13.

3 Williamson, History, &c., I. 529.

4 Hubbard, Narrative, &c., Part II., 16, 19, 21, 26.

5 Ibid., 27.

settlements of that remote district; and they were discontented at being prohibited from freely purchasing supplies of powder and shot, which they represented to be necessary to them for the chase, but which it was not thought prudent to allow them to obtain without supervision and restraint.[1] They continued quiet for the most part, however, till, when Philip's men were scattered during the weeks immediately preceding his death, and especially when that event occasioned the dispersion of his remaining followers and allies, some of these found their way beyond the Piscataqua, and excited there anew the passions of their countrymen. Falmouth was now attacked, and thirty-four persons were killed, or led away prisoners.[2] At Stinson's Point (Woolwich), three persons were killed, and sixteen carried off. At Arrowsick, an island in the Kennebec, was a little fort of the English.[3] The garrison were off their guard, not suspecting any enemy to be near. One evening, as a sentinel, without being relieved at his post outside of a gate, passed into the fort, he was closely followed by a party of Indians who had stealthily approached the place, and been watching his movements. The English fought desperately, but the force which assailed them was overpowering. Thirty-five of them were either killed or made prisoners; about a third as many succeeded in making their escape. The planters further east now abandoned their homes; the Indians came in and burned them; and between Casco Bay and the Penobscot not an English settlement remained.[4] At first, many of

1676. August 11. August 13.

August 13.

1 Hubbard, Narrative, &c., Part II., 37.

2 Mather, Brief History, &c., 47; Hubbard, Narrative, &c., Part II., 30.

3 Ibid., 39.

4 September 8, Governor Andros and his Council "resolved to send a sloop to Piscataway, Salem, and Boston, to invite and bring as many of the inhabitants, particularly fishermen, as will come, driven from the Duke's territories and parts eastward, and to supply them with land in any part of the government [of New York] they

the fugitives took refuge at Monhegan and other islands. But even these posts were not thought safe, and were deserted as soon as means of transportation to Boston and the other populous towns could be found.[1]

The government of Massachusetts, busy as it was with nearer dangers, was not inattentive to these proceedings. A force of a hundred and thirty English, and forty friendly Indians, was despatched to Dover, where it was to be met by as many troops from the neighboring towns as it was prudent to withdraw from their homes. Unfortunately Major Waldron, of Dover,[2] who, living almost within sight of the recent atrocities, may be supposed to have been peculiarly incensed against their authors, was in command of the English force, as Sergeant Major of the County of York. His orders were to seize all Indians who had murdered Englishmen, or otherwise violated the recent treaty. Four hundred Indians, uninvited, and without any guaranty of protection, came to Dover, professedly to treat. Waldron believed that — at least with a portion of them, who would not find it difficult to impart their purpose to the rest — this offer of negotiation was only a feint. Among them, if his information was trustworthy, were persons who had been intimate associates of Philip, and others who had been active in the infractions of the treaty. Between such, on the one hand, and innocent persons on the other, he could only dis-

shall choose." (Hough, Papers relating to Pemaquid, &c., 9.) — The New England people felt strong resentment against Andros for his indifference to their danger, and with good reason. (Hough's Edition of Easton's Narrative, 146, 156, 158.) They went so far as to charge him with allowing their enemy to obtain ammunition from Albany. (Ibid., 136.)

1 Hubbard, Narrative, &c., Part II. 43.

2 Waldron was a Deputy from Dover in the General Court in 1654 (Mass. Rec., IV. (i.) 182), and from that time forward. In 1666 (Ibid. (ii.) 295), and in several other years, he was Speaker. He was a captain in the militia as early as 1666 (Ibid., 315), and in October, 1674, was appointed "Sergeant Major of the forces in Yorkshire." (Ibid., V. 22; comp. 53.)

criminate by having the whole in his power; while not a few of his soldiers, driven to fury by the accounts which had reached their ears, clamored for leave to fall upon them without distinction.

In these circumstances, Waldron resorted to a stratagem, which, by no means belonging to the authorized deceptions of war, can only be justified by his knowledge — if such knowledge he had — of the existence of a treacherous design on the other side. He proposed to the Indians to have a sham-fight with them on the following day. It took place; and in the course
September 16. of it, at his bidding, they all discharged their muskets at once. No sooner had they done this, than the English, who had held their own fire, closed around them, and made them ground their arms. There was no bloodshed. Of the four hundred prisoners taken, one half were immediately discharged; about two hundred, considered to be identified as murderers of Englishmen, or violators of the treaty, were sent prisoners to Boston.[1]

The day after this transaction, a detachment of the English force, under the command of Captain Hathorne, proceeded by water to Falmouth, where they built a fort. While they remained there, a party of
September 23. seven of them, separated from their friends, were encountered by the Indians, whom they resisted till every one of them fell. The next day, a remote set-
tlement in Yorkshire was attacked; and, of forty
September 24. persons, part were carried away, the rest were massacred with circumstances of shocking barbarity. Wells, Black Point, Scarborough, and other places, where some of the former inhabitants had collected, were again depopulated. When winter was about to set in, Captain Hathorne, having heard of a great Indian fort

[1] Hubbard, Narrative, &c., Part II., 28.

on Ossipee River, determined to attack it, and marched for that purpose with all his force. The expedition occupied two months. Part of the time the troops had to make their way through deep snows, and rivers half frozen over. And, after all, their fatigues were fruitless. The fort was found; but there was not an Indian in or near it.[1] November 1 1677. January 9.

Meanwhile, there had been another formal pacification. An Etetchemin chief, named Mugg, presented himself at Portsmouth to Major-General Denison with credentials which were satisfactory to that officer. Mugg accordingly was sent to Boston,[2] where he concluded with the Magistrates a treaty, of which the principal articles stipulated the cessation of hostilities; the restoration of prisoners and stolen property to the English; satisfaction for damages sustained by them; and a prohibition to the natives to purchase ammunition except of a person to be appointed by the Governor to sell it.[3] 1676. November 6.

But so tardily and imperfectly were these engagements observed, as to create a persuasion that the Indians had intended only to secure a quiet winter, and would resume hostilities as soon as the spring should open. It was thought prudent to be in readiness to anticipate them; and a force of ninety Englishmen and sixty friendly Indians, under the command of Major Waldron, sailed from Boston for the Kennebec. Leaving half of his party at the mouth of that river to build a fort, Waldron proceeded with the rest to Pemaquid, where he appointed a meeting with some sachems. It was agreed that both parties should come to the interview unarmed. But, when they met, a quantity of lances was discovered lying in the Indian canoes. An altercation en- 1677. February 7. February 26.

[1] Ibid., 49 – 54. [2] Ibid., 48. [3] Ibid., 54 – 56.

sued, which was observed from the vessel from which Waldron had landed, and an armed party was despatched to his assistance. They killed ten of the Indians, and took four prisoners. Hopeless of an accommodation,

March 11. the commander left forty men at the fort near the mouth of the Kennebec, and returned with the rest of his force to Boston.[1]

His apprehensions were not unfounded. As soon as the weather permitted, the crazy marauders were abroad

March 30. again. They intercepted a party belonging to the fort lately constructed by Major Waldron,

April 7. and killed nine men.[2] They shot seven men, whom they found at work in a field, two miles

April 13. from York.[3] At Wells they murdered six or eight persons.[4] At Black Point they were less successful; they killed three Englishmen, and carried off

May 16. another to be tortured; but here they were repulsed with considerable loss, the distinguished Sachem, Mugg, being one of those who fell.[5] Returning

May 23. to Wells and York, they renewed at those places their work of havoc.[6] In a second affair near

June 29. Black Point the enemy obtained a signal success. A party of ninety men, mostly from the

1 Hubbard, Narrative, &c., Part II., 64 – 72. Here this treatise of Hubbard comes to a close. Williamson's references (History of Maine, I. 548, 549) to "Hubbard's Indian Wars" for transactions of a later date than March 11, 1677, are erroneous. The book used by Williamson was an anonymous work, entitled "History of Indian Wars in New England," published at Montpelier, Vermont, in 1812.

2 Hubbard, History of New England, in Mass. Hist. Coll., XVI. 630.

3 Belknap, History, &c., I. 153; Hubbard, *ubi supra*, 631.

4 April 24 of this year, Major Simon Willard died at Charlestown, in the seventy-second year of his age, of an epidemic cold, which, added to the other sorrows of the time, proved extensively fatal during the spring. After his return from the campaign on the Connecticut, he was busily engaged in securing what was called the western frontier, that is, the line from the Merrimac through Lancaster to Mendon. His house at Groton being burned by the Indians March 14, 1676, he sought another home at Charlestown (Willard, Willard Memoir, 259, 265, 268 – 273, 305).

5 Belknap, History, &c., I. 156, 157. Hubbard, *ubi supra*, 632, 633.

6 Hubbard, *ubi supra*, 633.

Bay,[1] fell into one of their ambuscades, and, after a vigorous resistance, was utterly defeated, with the loss of sixty of its number.[2] Taking to their boats, the natives surprised twenty fishing-vessels, mostly from Salem, which lay at anchor, feebly manned; they killed and wounded a number of the seamen, stripped the vessels, and then disappeared.[3] July.

In Yorkshire, some white inhabitants still held their ground, but the county of Devonshire[4] was entirely deserted. Sir Edmund Andros, at New York, became apprehensive for the safety of his master's province of Cornwall.[4] He sent a force to Pemaquid, to build and occupy a fort; and the officer in command entered into communication with the neighboring Indians, and procured the release of fifteen English captives.[5] August.

If the natives had obtained great successes in the Eastern country, it had been at no little cost to themselves; and, unreflecting though they were, they could not fail, by this time, to be impressed with the resources and the perseverance of their enemy. In the spring, Squanto, Madockawando, and other chiefs of the tribes on the Androscoggin and the Kennebec, met at Casco three com- Peace with the Eastern tribes, and termination of the war. 1678. April 12.

[1] The General Court of Massachusetts, June 1, had resolved to have a force of one hundred English and two hundred Indian allies at Black Point, on the 26th of that month, and they sent requests to Connecticut and Plymouth to make up the number. (Mass. Rec., V. 140, 141.) I do not know that the former of these requests was successful. The application to Plymouth was fruitless, and the neglect of it occasioned an animated remonstrance, being interpreted as not only unneighborly and ungrateful, but as a breach of the articles of confederation. (See letter of August 23, 1677, from the Magistrates of Massachusetts to Governor Winslow, in the Prince MSS. in the Library of the Mass. Hist. Soc.) In the same months they pressed into the ranks all the "young men and single persons out of employment, and not capable to provide for themselves, by reason of the troubles there." (Mass. Rec., V. 144, 145.)

[2] Hubbard, *ubi supra*, 634.

[3] Ibid., 635.

[4] See above, pp. 96, 97.

[5] Hubbard, *ubi supra*, 636; Belknap, History, &c., I. 158.

missioners appointed by the government of Massachusetts, and entered into a treaty which may be regarded as the termination of this distressing war. They promised to surrender all their prisoners without ransom, and to refrain from further molestation of the settlers. On the other hand, it was stipulated that, for every English family established in their country, they should receive annually a peck of corn.[1]

Almost every settlement beyond the Piscataqua had been laid in ashes. Between two hundred and fifty and three hundred Englishmen had been either killed, or carried away captive, never to be heard of more. For the present, hostilities were at an end.[2] But the Indians were by no means so effectually disabled in that region as in other parts of New England.

A recital of battles does not go far towards telling the history of this terrible war. It was a succession of ruthless ravages on a larger or a smaller scale. Outlying houses were fired by night, while their inmates slept. Husbandmen at their work, and women at the well, and travellers on the road, were shot down. Only in the large towns could an Englishman leave his door with safety. Every bush near it might hide a watchful marksman. The amount of distress that was endured cannot be set forth by a mere inventory of murders and pillages, of massacres and conflagrations, even could such a list be made complete. But a partial statement of that kind affords some basis for a concep-

1 Belknap, History, &c., I. 158.

2 Hubbard had not a high opinion of Maine, and thought that the benefit of keeping a foothold there did not countervail the damage. "That whole tract of land, being of little worth, unless it were for the borders thereof upon the sea-coast, and some spots and skirts of more desirable land upon the banks of some rivers, how much so ever it be valued by them that know nothing thereof, but by the uncertain and fallible reports of such as have only sailed by the country, or viewed some of the rivers and havens, but never passed through the heart of the continent; the whole being scarce worth half those men's lives that have been lost these two last years in hope to save it." (Narrative, &c., Part II., 1, 2.)

tion of the awful reality. In Plymouth and Massachusetts there were eighty or ninety towns. Of these, ten or twelve were wholly destroyed, and forty others were more or less damaged by fire, making together nearly two thirds of the whole number. Five or six hundred of the men of military age, one in every ten or twelve of the whole, were stealthily murdered, or fell in battle, or, becoming prisoners, were lost sight of for ever, an unknown number of them being put to death with horrible tortures. There was scarcely an English family in those two Colonies that was not in mourning. Impoverishment was added to bereavement. In the first year of the war the sum of three thousand six hundred and ninety-two pounds had been contributed to it by twelve towns of Plymouth Colony, the inhabitants of Dartmouth and Middleborough being excused from the assessment on account of their being reduced to destitution.[1] At the termination of hostilities the debt which had been incurred by that Colony is believed to have exceeded the value of the whole personal property of its people.[2]

Distresses of the war.

1 The Plymouth towns along Cape Cod were not assailed. Besides bringing their contribution of money and stores to the common fund, they showed their public spirit by offers of hospitality to their more exposed friends. They sent an invitation to the inhabitants of Rehoboth, Taunton, and Bridgewater to come to them with their movables, and be taken care of till affairs should mend. The persons addressed did not accept it; but this was not for want of feeling the exigency to be real and extreme, but "because they feared they should in so doing be wanting to the name of God and the interest of Christ, and bewray much diffidence and cowardice, and give the adversary occasion to triumph over them, to the reproach of that great and fearful name of God that was called upon them." (Davis's Morton, 442; comp. Hubbard, Narrative, &c., 70.) The letters from the three towns are in the collection of Governor Hinckley's papers, in Mass. Hist. Coll., XXXV. 2–8.

2 The Commissioners of the United Colonies, in a letter to Lord Sunderland, August 25, 1679, stated the disbursements for the war at "more than one hundred thousand pounds." (Records of the Commissioners, in Conn. Rec., III. 508.) In a partial settlement between the Colonies in the autumn of 1677, Massachusetts showed an outlay of forty-six thousand two hundred and ninety-two pounds; Connecticut,

That in such circumstances the Colonists should have become intensely exasperated, may well be supposed. A sense of enormous ingratitude on the part of their assailants deepened their resentment. If, in single instances, injustice or unkindness had been done to Indians, it had been done contrary to law, by vagabonds such as infest every community, and whom no community is able absolutely to control. They who had the management of affairs knew that, as far as they and the government which they represented were concerned, there was no act of theirs, whether of commission or of omission, of which the natives could rightfully complain. The government had not disturbed their homes; it had bought their lands as often as it had desired to buy and they were disposed to sell, and, when they did not wish to sell, it had let them alone. With the best exertion of its power, it had restrained its subjects from cheating or otherwise maletreating them. In tenderness to their rights, it had refused to sanction contracts made with them by individuals for their lands, on account of their exposure to be circumvented in such dealings. With a solicitous care, it had devised remedies for them against all wrongs to which they were liable. It had regulated, with a humane regard for their advantage, that commerce in articles of their production, which would give them an opportunity to rise from the scarcely human life, which hitherto they had led, to the decencies and comforts of civilization. It had freely offered to them the benefits of instruction in various departments of that knowledge by which man advances in dignity and happiness. It had been at great trouble and expense to impart to them what in the estimation

Resentment of the conquerors.

of twenty-two thousand one hundred and seventy-three pounds; and Plymouth, of eleven thousand seven hundred and forty-three. (Ibid., 492, 493, 496, 498–502.)

of the giver was the most precious of all gifts, — the saving knowledge of Christianity; and in this disinterested labor it had been flattered with the hope of much success. Looking for better things hereafter, it had borne with their frequent contumacy; and while, for the sake of both parties, it had maintained a firm authority, it had aimed to carry restraint no further than was demanded for security.

And now, without provocation and without warning, they had given full sway to the inhuman passions of their savage nature. They had broken out into a wild riot of pillage, arson, and massacre. By night they had crept up, with murderous intent, to the doors of dwellings familiar to them by the experience of old hospitality. They had torn away wives and mothers from ministrations to dying men, and children from their mothers' arms, for death in cruel forms. They had tortured their prisoners with atrocious ingenuity. Repeatedly, after they rose in arms, overtures of friendship had been made to them. But whether they disregarded such proposals or professed to close with them, it was all the same. The work of massacre and ravage still went on. The ferocious creature had tasted blood, and could not restrain himself till he should be surfeited. There was not a settlement in New England free from a distressing sense of instant danger. Brookfield, Springfield, Lancaster, bore signal witness how little reliance was to be placed on habits of friendly intercourse long kept up, or on professions of conversion to the Christian faith. The heart of English life in New England was all but reached by the assassins; at one time they were at Weymouth, within twelve miles of the capital; and if only the interior towns had been wholly devastated, the result could scarcely have been other than the total abandonment of New England by the portion of its civilized people that should be left alive.

It must be allowed that the sense of obligations imposed by a common humanity was not in all respects so operative in those times as it is now. Before their departure from their native country the emigrants had known no men of other blood than their own. Controlled by a habit of mind which an insular position and other circumstances have formed in Englishmen,[1] they were capable of only a very imperfect sympathy even with men of Italy or France. How much more feeble would the tie of fraternity be felt to be between themselves and a race which, even as to outward aspect, would seem to them to have little of humanity beyond the likeness of a human shape, and which, as to reason, conscience, and affections, corresponded to no idea of humanity to which they had been used.[2] That even

1 *Toto divisos orbe Britannos.*

2 It cannot be denied that even the justice and kindness of the settlers in New England towards the natives had an alloy of contempt. Of course, it was impossible for the capable, cultivated, religious, self-respecting Englishman to look upon the filthy barbarians, among whom he had fallen, with any other respect than what the well-regulated mind desires to render to everything, however debased and wretched, that wears the form of man. Without doubt his consciousness of superiority constantly manifested itself in his treatment of the alien race. There was too much of positiveness and arrogance in his way of asserting his claims, even when those claims were in every respect moderate and equitable; and his kindness, even when most cordial and beneficent, wore a mien of condescension and pity.

It were to be wished that the Colonists had borne their superiority with more meekness. Still it does not appear to me that their lofty deportment had a considerable place among the occasions of the war. In a certain sense it may be said that, when white men first came in contact with the natives of New England, the latter were a proud race. But the pride of a nature so coarse as theirs does not imply a sensibility such as would be wounded by want of respect on the part of the new-comers. And, at all events, during fifty years they had been learning their inferiority, and accommodating themselves to the new position which it prescribed. The generation now on the stage remembered no time when the governing Englishman was not on the soil; Indians living in 1675 had been used from their earliest memory to whatever of discomfort belonged to the unequal relation between the races. In the conduct of Philip to the English before the war, I see no signs of offended pride. He was sometimes angry, but he was oftener abject, and he did not scruple to receive and to solicit little favors. I suppose that the assuming

the bond of human fellow-feeling is by white men apt to be recognized in its full strength only within the limits of their own division of the human family, is a fact illustrated by the condition of the African race wherever they are found in large numbers in communities of different complexion. And to what an intensity of vindictiveness English blood is apt to be stirred when savages, of whatever color, indulge their savage nature in revolting cruelties to English men and women, every reader knows who is acquainted with the recent history of the revolt in Hindostan.

There was yet another influence which perhaps tended to a severe treatment of the Indian malefactors. The settlers were Puritans. They brought from England, and transmitted to the children born to them in America, the Puritan habits of thought, and of expression which reproduces and perpetuates thought. To the Calvinists in Cromwell's irresistible ranks the Catholics of Ireland were God-forsaken idolaters, ripe for the harvest of the sword. Had the settlers in New England been under equal excitement of the same kind, their theory would have made them look on the alien unbelievers around them as deserving of the same fate as befell the Popish Pagans of Drogheda and Wexford. They were not under such excitement; and they pitied, instead of hating — and aimed to enlighten and sanctify, and not to destroy — their heathen neighbors. But still the Old Testament, in their interpretation of it, had a practical hold upon their minds; and when their pity and generosity seemed to have been misplaced and abused, the Jewish maxims of war suggested themselves only too easily as fit for present application. To them the Amorite and the Moabite reappeared in

tone which might naturally give offence to sensitive minds was exhibited quite as much towards the Praying Indians in the lower settlements as to any other natives. Yet, to a great extent, these remained faithful and obsequious.

the Wampanoag and the Nipmuck; and, whenever harsh measures of repression had been dictated by better reasons, the approval of a severe sentence was apt to be made more cordial in many minds by reflections on its analogy with what was recorded in Scripture respecting the doom of ancient enemies of God.

Such considerations illustrate the temper in which the final conquerors in this terrible strife approached the question of a necessity for making examples which might deter from a repetition of the outrages that had been suffered. Some of the hostile Indians who fell into their hands had treacherously violated the most solemn engagements; and the lives of such were esteemed to be justly forfeit, if considerations of prudence should exact that penalty. Wattascompanum, chief Sachem of the Nipmucks, and a professed convert, had been the principal agent in seducing the Praying Indians at Massanamisset from their fidelity. He fell into the hands of the English, and was tried, convicted, and executed at Boston.[1] Captain Tom, a Praying Indian of Natick, having been intrusted with a command, not only deserted to the enemy, but persuaded some of his men to do the same. Being taken prisoner, he was hanged, notwithstanding the intercession of some of his native fellow-officers who had done well.[2] Matoonas, the Nipmuck who began the war in Massachusetts by the attack on Mendon, was brought in by Sagamore John, and some other repentant Indians, who, on his being condemned to die, were permitted, at their own request, to execute the sentence by shooting.[3] A fortnight after Philip's death, three Nipmuck chiefs were hanged at

Treatment of the conquered.

1676. June.

June 26.

July 27.

August 26.

1 Brigham, Centennial Address at Grafton, 12.

2 Gookin, in Archæol. Amer., II. 527, 528.

3 Mather, Brief History, &c., 43.

Boston; and, some weeks later, a Narragansett Sachem, surrendered by some Rhode-Islanders, was there shot.[1] Tispaquin and Annawon, principal men of Philip's tribe, having fallen into Church's hands, were beheaded at Plymouth, to his great discontent.[2] Of seven prisoners who were ascertained to have been of the party that set fire to the outpost in Plymouth,[3] four were executed at that place.[4] Many captives were sold to service among the conquerors, and many were transported to slavery in the West Indies. Of the two hundred prisoners taken by Waldron at Dover, and sent to Boston under the charge of having violated the treaty of peace, seven, who, in pursuance of that perfidy, were ascertained to have taken life, were executed; the rest were sent to Bermuda to be there sold. And this latter is said to have been the fate of Philip's son.[5] It was a shocking way of disposing of the conquered barbarians. The selling of man, woman, or child to be a slave, is a horrible act, though there was nothing to give it peculiar aggravation in the circumstance that one of the sufferers was Philip's son.[6] On the other hand, when the danger seemed passed away, "the well ordering and settlement of those Indians that remained and were under command" was taken into consideration as "a matter of great concernment to the peace and security of the country, and the welfare, civilizing, and education of the said Indians and their children"; and numbers of

October 12.

1677. May.

1 Ibid., 46.

2 Entertaining Passages, &c., 53.

3 See above, p. 188.

4 Plym. Rec., V. 204 – 206.

5 Davis's Morton, 453 – 455; comp. Plym. Rec., V. 173, 244.

6 Some of the ministers considered the case to be analogous to that of Hadad the Edomite, in the First Book of Kings, xi. 14; and they remembered that the Narragansett chief, Canonchet, lately so formidable in arms against them, was a boy when his father, Miantonomo, was put to death. Some New-England ministers of the present day find instruction to like effect in the Scriptural records relating to Ham and to Canaan.

them, "Praying Indians, as well as others," were brought together in settlements of their own at Natick, Stoughton, Groton, and Chelmsford; while others were to "remain as servants" in English families, "to be taught and instructed in the Christian religion," the servitude of a portion of them being limited to the time when they should become twenty years of age.[1]

Sentimental views of the character and policy of Philip.

The careful reader of the contemporaneous narratives of transactions of this period finds reason to distrust conceptions which have prevailed of both the policy and the character of Philip. Partly by one of those caprices to which history is liable, and partly perhaps because he was both an old acquaintance of the English, and the scene of his maraudings was nearer to the vitals of their Commonwealth, he has been widely distinguished from other red men who were engaged in inflicting the misery of this terrible war, and who, so far as we may now judge from their recorded conduct, possessed capacity and character at least equal to his, — from Canonchet, for instance, the stubborn Narragansett Sachem, and from the Etetchemin chiefs Squando, Madockawando, and Mugg, who directed the devastation of the Eastern settlements.[2] To a lively imagination it has appeared that, with considerate foresight, Philip took alarm at the prospect of the extirpation of his race and the occupation of their land by strangers; that, with a strenuous purpose, a capacity for political combination, and an aptness for influencing the action of men, such as belong to minds of a high class, he slowly matured a conspiracy to rid the country of the English interloper by a united movement, and restore it to its ancient owners; that, though unlucky circumstances caused the rising to occur prematurely, this misadventure did not prevent him from

[1] Mass. Rec., V. 136. [2] Hubbard, Narrative, &c., Part II. pp. 48, 61.

carrying out the contest to its disastrous end with vigor and determination; and that his life and death deserve the eulogies which are fit to be bestowed on a brave and sagacious patriot. And the title of *King*, which it has been customary to attach to his name, disguises and transfigures to the view the form of a squalid savage, whose palace was a sty; whose royal robe was a bear-skin or a coarse blanket, alive with vermin; who hardly knew the luxury of an ablution; who was often glad to appease appetite with food such as men who are not starving loathe; and whose nature possessed just the capacity for reflection and the degree of refinement, which might be expected to be developed from the mental constitution of his race by such a condition and such habits of life.[1] To royalty belong associations of dignity and magnificence, which it is not now worth while to attempt to dissect. Civilization, philosophy, humanity, are not yet mature enough to be competent to that analysis. But, at all events, the Indian *King Philip* is a mythical character.

Like the rest of his race, Philip was sometimes lazy and careless, sometimes wayward and turbulent, sometimes timorous and submissive. The English had not used him ill. They protected him in his property, generously accepted his explanations when he had been

[1] Let any one read Church's account of Philip's death (Entertaining Passages, &c., 44, 45), and judge what idea of dignity was attached to the Sachem's person either by Englishmen or Indians. Church was a man by no means wanting in magnanimity, and the disgust which he expresses for the savage appears to be not at all vindictive, but simply spontaneous and inevitable. — The following may serve as a specimen of the characterization of Philip which has obtained favor. The same sort of sketch may be seen in various places, drawn sometimes with better taste, but with no less departure from historical verisimilitude.

"King Philip's talents were of the highest order. As a politician he was the greatest of savages. . . . . Never perhaps did the fall of a warrior or a prince afford more scope for solid reflection. Philip was certainly a man of great powers of mind. . . . . It [his death] is now viewed as the fall of a great warrior, a penetrating statesman, a mighty prince." (Fowler, Historical Sketch of Fall River, 9, 11.)

troublesome, bore with his petulances, and embraced opportunities to treat him with courtesy and kindness. It is not certain that he directed or approved the movements about Mount Hope, with which the war began.[1] But what appears probable is, that, under a sudden sense of provocation from the people of Plymouth Colony, to whom he had long been a vexatious neighbor, he set some of his people to the work, which at all events they did, of stealing the hogs and cattle, burning the houses, and murdering the men, women, and children of the nearest Plymouth towns. He was hunted for

1 "There is a constant tradition among the posterity of the people who lived next to him, and were familiarly conversant with him, as also with the Indians who survived the war, that both Philip and his chief old men were utterly averse to the war." So writes Callender (Historical Discourse, in R. I. Hist. Soc. Coll., IV. 126); and he must have been well acquainted with numbers of persons who lived in those times. The judicious Belknap could not discern any good evidence for the common opinion. (History of New Hampshire, I. 130.) President Mather, who wrote when all sorts of rumors were rife, does not appear to have heard of what in later times has been taken for granted. (History of the Wars, &c., 1 – 3.) His more credulous son would have been charmed with such a story, but he (Magnalia Amer., VII. 45) has nothing that comes nearer to it than the vague report of Sausaman. (See above, p. 150.)

I suppose the modern representation of Philip's large scheme to be partly due to Hubbard. But, in the first place, Hubbard is not the best kind of authority for anything; and, in the second, his language is such as he did not probably himself expect would receive a rigorous interpretation. He says that Philip had been "plotting with all the Indians round about to make a general insurrection against the English in all the Colonies," (Narrative, &c., 13,) and that "the Indians had a conspiracy among themselves to rise against the English." (Ibid., 14.) But "plotting" and "conspiracy" are things extremely indefinite, ranging through all degrees from the arrangements of the Jacobin clubs to the loose talk in an Indian wigwam. And even for what he says, he seems to have no better evidence than the confession, which he does not say that he himself heard, of "some prisoners lately brought in," and some conversation of "some of the Indians about Hadley." (Ibid.) That there had been any understanding between Philip and the Eastern Indians at any time before the outbreak at Swanzey, I think even Hubbard did not suppose. (Narrative, &c., Part II. p. 11.) The evidence which satisfied him that there was an understanding after that time, we can estimate as well as he, and we cannot esteem it to be weighty. "The like jealousy did appear in all the Indians that inhabited to the eastward of Piscataqua, which plainly shows that there was a design of a general rising of the Indians against the English, all over the country." (Ibid., 12.)

this, and for a time escaped the hunters by a stealthy flight and with a small following, which do not indicate that preparation had been made for striking a united and vigorous blow. In the mean time, intelligence of his proceedings had without doubt reached the Indians in the interior of the country, where stood a few scattered villages remote from help, and exposed to their assault. The example was attractive to them, and they also fell to stealing cattle, burning houses, and butchering inoffensive families. A sympathy of taste for havoc was now established between heathen Wampanoags and half-converted Nipmucks; and Philip threaded his way, with some forty followers, to the wigwams of the latter tribe, and joined a party of them three days after they had perpetrated, on their own account, a perfidious massacre on a company of Englishmen, who had sought them on a friendly errand, and whom they had agreed to meet for that purpose. 1675. August 2.

That he had the direction of the proceedings which followed does not appear from any sort of evidence, nor is he so much as certainly known to have been present at any one of the numerous conflicts between the natives and the English. During the autumn after his first hostile movement, the Nipmucks waged fiercely the war on the towns along the Connecticut; but there is no reason to believe that they had Philip for a leader or a comrade. Encouraged by the apparent success of their neighbors, the Narragansetts resumed their former hostile dispositions, and brought on themselves a signal retribution. It was rumored that Philip was at the Narragansett fort at the time of its destruction by the forces under Winslow; but this was never ascertained nor made probable, and, if he was there, he did not allow himself to be conspicuous. It has been supposed that towards the spring he was with the marauding party which attacked Lancaster; 1676 February 10.

and this is not improbable, for he seems to have been in the neighborhood of the Connecticut soon after that assault.[1] As the spring advanced, the scene of hostilities was mostly in Plymouth, Rhode Island, and the eastern part of Massachusetts, and Philip was reported to have led the attack on Captain Wadsworth at Sudbury; but neither for this statement does any good authority appear. No system or good judgment is apparent in his proceedings through the summer that followed. The Eastern Indians had caught the warlike contagion, and had risen in great force, enclosing a helpless English population. An easy journey of three days would have brought Philip into the midst of them; and, if he had any understanding with them, such might have been expected to be his course, when his prospect darkened elsewhere. But, instead of this, he stole back at the end of the war to the place whence he stole just after it began; and there, being closely invested, he was shot while, unattended, he was trying to run away. Annawon prosecuted the war a little while longer in Plymouth Colony, till he too fell into the hands of Captain Church. And at the eastward, especially, it was waged nearly two years after Philip's death, and with more vigor than before.

The public documents do not indicate a belief, on the part of the English, of any such comprehensive and far-sighted scheme as in later times has been attributed to Philip.[2] The natural conclusion from their language is, that his outbreak was but regarded as being

1 Rowlandson, History, &c., 10.

2 Sausaman informed the government of Plymouth, "that the said Philip was undoubtedly endeavoring to raise new troubles, and was endeavoring to raise all the sachems round about [how far?] in a war against us." (Narrative of the Plymouth Commissioners, in Hazard, II. 532, 533.) But this formal revelation did not lead the government of Plymouth to take any measures against him. They continued to hope that "the present cloud might blow over, as some others of like nature had done before." (Hubbard, Narrative, &c., 16.)

prompted by the vindictiveness and caprice of an unreasoning and cruel barbarian. As to his supposed patriotic apprehension that, unless timely resistance were made, his people would be crowded out of their country,[1] the sagacity with which he has been generously decorated could not have failed to reveal to him the material facts already noticed, — that that country was capable of bearing a vastly larger population without obstruction to the habits of either civilized or savage men; that no portion of it had ever been appropriated by the strangers except by honest purchase from the former occupants; and that the condition of his people was immensely improved by the access obtained through their new neighbors to conveniences hitherto unknown, and by the market opened for articles within their reach, but hitherto worthless to them, or of trifling value.

Nor is his supposed jealousy of the territorial extension of the English to be easily reconciled with his frequent voluntary sales of land to them, or with his knowledge of the strictness with which they had guarded his rights in this particular.[2] Nor does the opinion of a concert established by him with the chiefs of other tribes accord well with various unquestionable facts that followed. If a war had been so elaborately concerted by a man of sense, it is scarcely to be supposed that it would have been entered on without a competent supply of munitions; yet, when Philip came from Mount

1 In the Foster collection of manuscripts, in the Library of the Rhode Island Historical Society, (Vol. IX. last page,) is the report of a speech purporting to have been addressed to Mr. Boyden by Philip, in explanation and vindication of his policy. I have made no account of it. It is no material for history. Mr. Foster wrote it down as received from Governor Hopkins, who lived a century after Philip. It sets forth that theory of the subject which was approved in Governor Hopkins's time. The conception of Cromwell which is embodied in his speech to his aide-de-camp in Scott's "Woodstock" may or may not be the correct conception. But we cannot draw an argument for its correctness from that speech.

2 See Plym. Rec., V. 88, 97, 98, 101, 106.

Hope into Massachusetts, "his men were about thirty of them armed with guns, the rest had bows and arrows"; and he said that he could not have defended himself, had he been pressed a few days more at Pocasset, for "his powder was almost spent."[1] If the Nipmucks were pledged in such a plot as has been imagined, a runner from Mount Hope would have reached their central holds in much less than a summer's day; nor can it be supposed that, in that case, Brookfield, lying wholly at their mercy, would have been let alone for six weeks, or that the assault on the unprotected towns along Connecticut River would have been delayed for more than two months, till there had been time to reinforce them from the seaboard. The Narragansetts had been restless from the earliest period of the acquaintance of the English with them. That they should plot against the English was at no time improbable. But that they should have yielded the lead in such a movement to the Wampanoag, Philip, is hard to credit. If they were parties to a conspiracy, the beginning of Philip's war, when their force was unimpaired, when the season was favorable for their operations, and when the English were surprised, was the time for them to strike. Their conduct is intelligible on the supposition of a hostile and treacherous disposition on their part, encouraged and excited to action by the disasters of the English in the first autumn of the war; but that, if any movement had been deliberately resolved upon, they should have deferred it till their intended victim was warned and armed, and should have waited to be attacked at every disadvantage, is a statement that passes belief. Almost as difficult is it to imagine, that the savages about the Piscataqua, who could also have been reached between sun and sun by a message from the

[1] Narrative of a Praying Indian, in Hutch. Hist., I. 267, note.

Pokanoket country, were in league with Philip before he struck, when we find that, with every advantage for mischief, their first movement was nearly two months later than Philip's, and that their most vigorous operations took place after his death. It may be reasonably believed that their action, as well as that of the Nipmucks, was independent of the action of Philip and his tribe, except only so far as example, and the hope of impunity by reason of the embarrassment of the English assailed in so many quarters at once, were an excitement to minds always ready for murder and pillage, when not restrained by fear.

Connecticut had bravely, and most usefully, borne her large share of service and of cost.[1] But her settlements had not been violated by the enemy. The Mohegans and Pequods within her bounds had proved faithful as heretofore.[2] Among the rumors of the time was one that Philip had visited the Mohawks on the Hudson, and endeavored to bring them into an alliance; but, if he made the attempt, it proved ineffectual. Rhode Island sent no troops to the war;[3] but, of its two towns on the mainland, Warwick was destroyed,

1 "Jam proximus ardet Ucalegon," says the over-wise Hubbard; "he that will not help to quench the fire kindled in his neighbor's house may justly fear to lose his own." (Narrative, &c., Part II. p. 84; comp. Part I. p. 93; Mather, Brief History, &c., 48, 49.)

2 Gookin imagined that, if Plymouth and Massachusetts had known as well as Connecticut how to deal with the natives, it would have been better for them. (History, &c., in Archæol. Amer., II. 437; comp. Mather, Brief History, &c., 48.)

3 Hubbard says (Narrative, &c., 28) that, in the pursuit of Philip on his retreat from Pocasset, "some of Providence" took part (comp. Church, 13); and, according to Callender (Historical Discourse, in R. I. Hist. Coll., IV. 133), "some of the principal gentlemen, as Major Sanford and Captain Goulding, were in the action at Mount Hope, as volunteers in Captain Church's company, when King Philip was slain." But Rhode Island, as a government, took no part in the war. That Colony, said the agents of Massachusetts to the Privy Council in 1680, "would never yield any joint assistance against the common enemy, no, not so much as in their own towns on the main, nor garrison their own towns of Providence and Warwick."

and a large part of Providence, and considerable expense was incurred in guarding the insular settlements.

Impoverishment of Massachusetts and Plymouth.

The misery fell chiefly on Plymouth and Massachusetts. The latter Colony, in its wealth and numbers, had a strong recuperative power.[1] The former was nearly ruined. But a community capable, in such circumstances, of such action as that of Plymouth is no subject for commiseration. By years of steady industry and pinching frugality she paid her enormous debt, principal and interest. New England never learned the doctrine of *repudiation*.

Relief, to the amount of nearly a thousand pounds, for such as were "impoverished, distressed, and in necessity by the late war," was contributed by "divers Chris-

1 In Massachusetts, one rate, or at most a rate and a half, had commonly sufficed for the year's expenses. (Mass. Rec., IV. (ii.) 88, 135, 281, 346, 415.) In 1670, half a rate was found sufficient (Ibid., 464); and, in 1672, the levy was wholly dispensed with (Ibid., 534), the revenue from customs and excises being found adequate "to answer the occasions of the country." But, in 1676, sixteen rates were called for (Ibid., V. 81, 120; comp. 139, 156); in 1678, three rates (Ibid., 195); and in 1680, four (Ibid., 296). The Colonial Treasurer meanwhile was a large borrower from the merchants. (Ibid., 71.) To their honor it is to be said, that they seem to have provided him with funds willingly and largely; but, if they were backward to take his notes at six months in payment for supplies, he had authority from the General Court to help himself. (Ibid., 123.)

The meaning of a "rate" should be explained. Down to the year 1645, inclusive, it was the practice in Massachusetts to levy a tax of a specific sum, and apportion it among the towns. In 1646, a different method came into use. A regular poll-tax was determined, at first of one shilling and eightpence, afterwards of two shillings and sixpence, payable by males, within the jurisdiction, sixteen years old and upwards; and a tax on property, and on the profits of mechanics and tradesmen, of a penny in the pound. The revenue from these two sources constituted one *rate*. (Mass. Rec., II. 173; comp. 213, and III. 88, 116; General Laws of Mass., 23; see above, p. 50.) The system was the same in Connecticut. (Conn. Rec., I. 548.)

In 1663, "the Court, being informed that the country is indebted five hundred pounds more than a single rate will discharge, do order that there be an addition of one quarter of a rate." (Mass. Rec., IV. (ii.) 88.) From this we learn that a rate in that year, in Massachusetts, amounted to somewhere about £ 2,000. The sixteen rates levied in that Colony in 1676 included the enormous assessment on property of one shilling and fourpence in the pound, or nearly seven *per centum* on the valuation.

tians in Ireland."[1] The Colonies had been defending what, if it was their own home, still was recognized at court as a dependence and domain of the King of England. But from the King and court came no aid whatever. Nor was any aid solicited, oppressive as was the need of it. "It is not altogether groundlessly reported," wrote their friend Lord Anglesey from London, "that you are poor and yet proud."[2] It is not difficult to satisfy one's self as to the reason of their silence in such extremity. The memory of the visit of the Royal Commissioners was still fresh; more recent events, hereafter to be related, had kept alive their solicitude about the repetition of such attempts; and they preferred to

[1] Deane, Irish Donation in 1676, in New England Historical and Genealogical Register, II. 245–250. — Connecticut generously released to her more distressed sister Colonies her claim to a share in this donation. (Conn. Rec., II. 304; comp. 483.)

[2] "I must chide you," said this nobleman (formerly Mr. Annesley), "and that whole people of New England, that (as if you were independent of our master's crown, needed not his protection, or had deserved ill of him, as some have not been wanting to suggest and urge testimony thereof) from the first hour of God's stretching out his hand against you to this time (though we have successive and frequent tidings (like Job's messengers) of the great devastations and spoils that are made by fire and sword upon those plantations, which God hath so signally blessed and made to flourish till now), you have not yet (as certainly became you) made your addresses to the King's Majesty, or some of his ministers for his perusal, that he might be authentically informed both of your enemies and your condition, by what means you are brought low, and what are the most proper and hopeful remedies for your recovery.

. . . . .

"It may not be fit for me to advise you what to do, till better informed; but I know his Majesty hath a tender and compassionate heart for all his subjects that are industrious and orderly, and hath power sufficient, as well as will, to help his Colonies in distress, as others have experienced, and you may, in good time. He knows how to deal with the French, either by the interposition of their own King, or by authorizing and assisting you to right yourselves against them. He can send ships or men to help you, or furnish you with ammunition, as the case requires, or by a general collection open the bowels and purses of his people here towards you, where there are many that mourn for your distress, and will not only be intercessors to the throne of grace, but to God's vicegerent also, for your relief, if you are not wanting to yourselves, and failing in that dutiful application which subjects ought to make to their sovereigns in such cases." (Hutch. Hist., I. 279.)

struggle alone under their load, rather than come under obligations to a power which, as they believed, entertained designs unfriendly to their English liberties.

In fact, those liberties were again in serious peril. The task of the patriotic rulers of Massachusetts, who, twelve years before, had discomfited the emissaries of Lord Clarendon, was about to be forced on them anew. Two men, who — the one consciously, the other with no unfriendly purpose — had helped to dissipate the strength which might now have stood New England in stead, were not to see the ripening of the harvest which their hands had sown. While Rhode Island, by day and night, was kept against the prowling savages by a circle of patrol boats constantly in motion,[1] the long and restless life of John Clarke was there brought to an end. Clarke had some claim to be called the father of Rhode Island.[2] For many years before his death, he had been the most important citizen of his Colony. Savage, Aspinwall, Hutchinson, and others, fellow-sufferers with him in the Antinomian revolt, had reconsidered the occasion of their discontent, and gone back to become peaceable and useful citizens of Massachusetts. Coddington and Williams had been long ago eclipsed by his more steady star. And both Williams and Coddington, eccentric as in different ways they were, were men of placable temper. The factious people to whom Clarke adhered never trusted him with their highest office, nor would they so much as pay him the money so well earned by his activity in their behalf at the British court. But the short-comings of Rhode Island he could forgive; the power and policy of Massachusetts were not to be borne with, nor to fail to be resisted by him at all times, with all determination.

Death of John Clarke. 1676. April 20.

Such traditions as exist ascribe to him a praiseworthy

[1] R. I. Rec., II. 535, 536.

[2] See above, Vol. I. p. 511.

character in private life; and, dying childless, he bequeathed his property "for relief of the poor, or bringing up children unto learning."[1] But, in public conduct, he had a governing motive besides attachment to the community which he had helped to found. He does not seem to have cared for office; if he wanted power, it was as an instrument not only for serving his fellow-citizens, but for feeding a deep-seated grudge. Ten years, while the Confederate Colonies practised a brave reserve, Clarke, in behalf of Rhode Island, paid obsequious court to the Parliament and to the two Protectors.[2] As if this had not been, he hastened to assure the restored King, with unstinted compliments, that his constituents had "still in their removes, and in the rest of their actings, made it manifest that they, as the true natives of England, had firmly adhered in their allegiance and loyalty to the sovereignty thereof, although by strangers, by many proffers, again and again allured therefrom; and had it much in their hearts, if they might be permitted, to hold forth a lively experiment that . . . . . true piety, rightly grounded upon Gospel principles, would give the best and greatest security to true sovereignty, and lay in the hearts of men the strongest obligations to true loyalty."[3] And the cordiality of his welcome in America to the Royal Commissioners was consistent with his assurances of devotion to their master.[4]

John Winthrop, of Connecticut, died a fortnight before Clarke, while on a visit to Boston to attend a meeting of the Federal Commissioners, just before the end of the first year of the war. His

Death of John Winthrop. April 5.

1 Backus, History, &c., I. 444.

2 See above, Vol. II. p. 559.

3 R. I. Rec., I. 490, 491.

4 They came to America a few weeks after he returned thither from an absence of twelve years; and he went to New York in October, 1664, to bear to them that Address of congratulation from his Colony which promised and preceded more substantial submissions. (See above, Vol. II. p. 602.)

character was of a different mould from that of the vindictive champion of Rhode Island; but, to a considerable extent, circumstances combined the influence of the two on the political destiny of New England. Each had an agency in breaking down that Confederacy of the Four Colonies, which, while it lasted, made New England a power in the world. It is painful to have to speak in terms of measured commendation of a man so virtuous as the second John Winthrop. Apart from his distinguished elegance and accomplishments of mind, which belong to a different category, he was singularly amiable in all private relations. So gracefully did he wear his eminence, that no one was provoked to traduce or so much as prompted to envy him. He was so gentle and generous, that to dissent from him cost a struggle. Everybody wished well to him who was everybody's well-wisher and helper. The champions of New Haven, excited and wounded as they were, never mention him with harshness. Even John Davenport, with his strong and stern character, and his more just and more comprehensive views of public affairs, could scarcely bear, in that catastrophe of New Haven which fired his heart, to oppose himself to his old and kind friend. Winthrop had, within his sphere, an excellent talent for affairs. The internal administration of his Colony was conducted by him with great skill and good sense, as well as diligence.

But to bestow on him the same amount of praise that is due to his illustrious father would be to confound things that widely differ. His character had not the same heroic cast. This was by the inferiority of his nature, and not by any vice of his principles. But history, which should express the cultivated moral sense of mankind, must not place any, who are borne away by a current of seductive or bewildering influence, on the same level with those who breast the tide with hearts

of controversy, sustained by consciousness of power in themselves, and by a supreme confidence that, against whatever strength of opposition, truth and right will prove their sufficient allies. Even though nothing more be chargeable upon the former class of public men than obscurity of perception or infirmity of will, they fail of a claim upon posterity for the largest measure of honor.[1]

It should not occasion surprise, if the experiences, public and private, through which the Governor of Connecticut had passed before the restoration of the British monarchy, at which time he was fifty-five years old, had somewhat toned down the enthusiasm with which under parental influence he had entered upon life.[2] He had now seen the once competent fortune of his family sacrificed in carrying out his father's generous enterprise. He had seen the great patriot party in England, which bespoke the devotion of his youth, dismally discredited by the errors of those whom events pushed to its front, and all its power scattered, and its glory vanished like a dream.[3]

It is no more than just to believe that Winthrop went to England after the Restoration without a purpose to wrong New Haven, or to weaken the Confederacy of the Four Colonies. In England, where his estimable and winning qualities were at once recognized, he was caressed and petted by men who did not love his adopted country as he did, or who, at all events,

[1] Winthrop might well have asked to be saved from his friends. Governor Wolcott had no authority whatever for putting into the mouth of his predecessor expressions of gross and absurd flattery to Charles the Second and his father. ("Brief Account of the Agency of the Hon^ble John Winthrop," &c., in Mass. Hist. Coll., IV. 296.)

[2] Savage's Winthrop, I. 432.

[3] I am much impressed by the letter addressed by John Maidston to Winthrop in the year of the Restoration. (See above, Vol. II. p. 542.) It requires little effort of imagination to represent to one's self the effect which such a retrospect as is there presented is likely to have had on Winthrop's mind at that time. — Davenport, writing to Winthrop, refers to this letter of Maidston. (Mass. Hist. Coll., XXX. 38.)

did not see its vital interests and honor in the light in which they were regarded by her own wisest sons. Lord Manchester, Lord Anglesey, Lord Hollis, and other Puritan nobles, who had become courtiers as the best thing that was to be done in those evil times, were willing to patronize New England, but only with circumspection and reserve. The aged Lord Say and Sele, the early patron of the suitor from Connecticut,[1] had had enough of opposition to the King; and he had no partiality for the Colony of New Haven, which had been erected, without leave asked, on land of which he claimed to be a proprietor by royal grant. Robert Boyle, and the academicians over whom he presided, conferred the signal honor of election to their Society on the philosopher from beyond the water; and Boyle made no secret of his opinion that his New England friends would do well to be tractable and quiet.[2] Lord Clarendon, whose scheme of Colonial policy was ripe, saw his opportunity to practise on the amiable envoy; and the blandishments of that courtly though arbitrary statesman were not easy to withstand. It is not safe for the most upright man to receive flattering attentions from those whose political designs he ought not to favor.[3]

[1] See above, Vol. I. p. 450.

[2] See above, Vol. II. p. 608. Winthrop wrote to Boyle, September 25, 1664: "I do endeavor greatly to attend your commands, and to dispose all people to that duty and observance towards those honorable Commissioners sent by his Majesty, as may testify their true loyalty and affection to his Majesty from whom they come, and I hope for the good of these poor plantations." (Works of the Honorable R. Boyle, I. lxxi.)

[3] Probably Governor Winthrop was brought by his son into friendly relations with General Monk, now Duke of Albemarle. September 11, 1658, Fitz-John Winthrop, then twenty years old, (see above, p. 111, note 4,) was commissioned by Richard Cromwell as a lieutenant in the regiment of his uncle, Colonel Reade; by Monk he was commissioned, December 21, 1659, as "captain-lieutenant," and February 5, 1660, as captain. (Proceedings of the Mass. Hist. Soc. for 1862, 1863, pp. 489, 490.) January 14, 1662 ("officers and soldiers that had served in the armies of the late usurped authorities" being then required to

It is by no means always to ill intentions, or to general incapacity, on the part of important actors, that political errors and disasters are to be traced. If the influences to which Winthrop was subjected in England confused his perceptions of a patriot's duty, there is no proof that they ever tempted him to do a conscious wrong. It is fair to suppose that he was brought to see or to believe that an annexation of New Haven to Connecticut was the best provision attainable by him for the well-being of both Colonies. But to New Haven the measure could not be expected to appear otherwise than as a gross outrage, aggravated by the engagements that were made by him before he went abroad, and were recognized by him during his absence and after his return. He honestly desired to make the calamity as little afflicting as possible to the aggrieved Colony. But the power had gone from him. The signed and sealed charter, that doomed New Haven,

"depart the cities of London and Westminster"), he received a pass, under the signatures of Albemarle, Anglesey, and Secretary Nicholas, (the original of which, by the kindness of Mr. Robert Charles Winthrop, is now before me,) to go to London and "quietly to remain and be within the said city of London and Westminster and to be thereabouts without let or molestation for the space of three months." The pass sets forth that he had "faithfully served his Majesty, and did correspond and join with the said Duke of Albemarle in his most happy Restoration." It may be presumed that his errand to London was to meet his father, who had come thither from America a few months before. (See above, Vol. II. p. 539.) His earliest letter written on this side of the water is dated June 26, 1663. He had probably just then returned from England with his father. (Ibid., 551, note 3.)

Among the pictures belonging to the Winthrops, there is an original portrait of Monk; — a fact which indicates a friendship between him and some member of the family. — One is, at first, uneasy to find Governor Winthrop corresponding with his roguish cousin, George Downing. But it was for a purpose honorably characteristic of him. Learning in England, in 1662, that his father's sister was insufficiently provided for, Winthrop wrote to her son, then representing Charles the Second at the Hague, asking him to make a proper settlement upon her, and adding that, if she were not too old to cross the Atlantic, he should take her support upon himself. The Minister gave him but little satisfaction, and pleaded poverty. (Mass. Hist. Coll., XXXVI. 524, 543.)

had passed from his hands into hands stronger and less dainty. His gentle genius bent before the coarser and more resolute spirit of the Secretary, John Allyn. While, as to external politics, Bellingham, Leverett, and Danforth, rather than Winthrop, represented in the reign of Charles the Second the intelligent patriotism of New England, Allyn, more than he, was ruler of Connecticut. It was not the way of Winthrop, Governor of Massachusetts, to admit any such control as in the sister Colony was exercised by the able and determined Secretary.[1]

Plymouth was poor and weak, and coveted a charter from the King, like that with which he had obliged and won Connecticut. Massachusetts desired no favor from him but neglect, and had received no favor to attach her by ties of gratitude. But, for Massachusetts alone, the conflict with him that was always imminent was too unequal. The possibility — if the unity of New England had remained intact — of a Dutch alliance, when England was corrupt, priest-ridden, and distracted,

[1] Lord Clarendon complimented his Connecticut friend with the following letter, a copy of which, made by Secretary Allyn, is in the Connecticut Archives. I believe it has been printed, but I do not know where. It is dated "Worcester House, 28th April, 1664," and addressed, "For my good friend, the Governor of his Majesty's Colony of Connecticut, in New England."

"Good Mr. Governor, —

"You remember that I told you at parting, that his Majesty would shortly send Commissioners into those parts, which his great affection to his subjects there hath induced him to do, that he may receive a full account and information of the true state and condition of his several Colonies, and thereby know what further to contribute of his grace and goodness for the increase of your prosperity. I know you will give that reception and welcome to the Commissioners as is due to the quality they come to you in, and take such order for their decent accommodation and treatment, whilst they stay in your Colony, as may give a good example to the rest, which they are likewise to visit in order, and may manifest your duty and affection to his Majesty from whom they are sent. I have passed my word to them that they shall find all the assistance you can give them by your civilities, informations, and advice. I wish you all happiness to your Colony, and am, good Mr. Winthrop, your affectionate servant,

"Clarendon C."

and Holland was strong and severely Protestant, — the possibility of a healthy revival of the patriot party in the parent country, had there been in New England, as formerly, a Puritan Confederacy unanimous and robust, — such are conceptions that swim in the brain of the commentator of the present day. But the Confederacy was no more, and with it seemed to have departed the chance of resistance to royal usurpation. The wasting Indian war intervened, and with its miseries seemed to settle the question. Whether there could be further opposition to the oppressive designs of the English court, and, if so, what degree of energy might inspire it, would be for later times to make known.

CHAPTER VI.

An ebb and a flow of public sentiment in England divide the time between the peace of Nimeguen and the death of Charles the Second into two periods of nearly equal length. During the earlier period the national enthusiasm for that monarch, so overpowering at the time of his return to his inheritance, was reduced to the lowest point of depression. During the later, another reaction took place, which, before he died, had raised him again to almost absolute authority.

The degeneracy of a nation which at any period of its history has shown excellent qualities is never to be regarded as irremediable. There is a restorative power in generous blood. The character of the English people was never so deserving of respect as in the present age.[1] But this character has been attained by a resurrection. The history of England for a century after the restoration of the family of Stuart to the throne is a melancholy record for the moralist. The better cause prevailed, but not by the support of blameless champions. In the sharp conflicts that were going on, partisans learned to overlook laxness and excuse dishonesty in their leaders, and the difference between right and wrong was obscured in the confusions of the hour. Those Englishmen were safer who lived remote from the scene of the strife.

1 This was written before a series of acts injurious to the United States of America had been done by the government of Great Britain, and been more or less approved and encouraged by the public sentiment of that country. But I will not erase the words. If my book lives beyond the present generation, the next will judge how far they ought to have been qualified.

The terms of the peace made at Nimeguen, justly regarded as humiliating to England, brought great unpopularity on the King and his minister. The influence acquired over the King's unstable mind by the bigoted and obstinate temper of his brother, the Duke of York, was known to be used in favor of arbitrary power and of the religion of Rome. It was not unreasonable to think that the liberties of the nation, civil and religious, were in danger.[1] Rival politicians discerned the means afforded them by this jealous condition of the public mind for ruining each other. Villains in private life saw themselves invited to fix their price for the destruction of the innocent. The result was that the people of England became possessed with an infatuation well-nigh incredible, which first drove them to deeds of odious cruelty, and next, by one of those revulsions which are sure to follow such excesses, realized the worst of the misfortunes which they had known so little how to struggle against.[2]

Disturbed politics of England.

Popish plot.

Of persons who have gained a place in the history of this period by swearing away the lives of honest men, Titus Oates became the most famous. In the time of the Commonwealth he had been an Independent or Baptist preacher, and at the Restoration had taken orders in the Church. Employed as chaplain of one of the King's ships, he was convicted

Titus Oates.

1 "It is to be remembered that there was really and truly a Popish plot in being, though not that which Titus Oates and his associates pretended to reveal. . . . . In this plot the King, the Duke of York, and the King of France were chief conspirators; the Romish priests, and especially the Jesuits, were chief co-operators." (Hallam, Constitutional History of England, 470.) — "There was a Popish plot . . . . . of which the King of France was the principal head, of which the Jesuits were the restless and unscrupulous agents, in which the King and the heir-presumptive were deeply engaged." (Goldwin Smith, Irish History, &c., 119.)

2 The Popish plot led to very numerous publications. In our Boston Athenæum are eight thick volumes of tracts in folio relating to transactions of this period, and mostly to the Plot.

of repeated misconduct, besides falling under strong suspicion of being guilty of fouler crimes, and was discharged. He then professed to be a convert to Romanism, and as such was successively received into the English Jesuit colleges of Valladolid and St. Omer's, from both of which institutions he is said to have been expelled for disorderly behavior.

Whether the course of proceeding which he now adopted had been contemplated before his alleged conversion to Popery, or had been struck out during his residence on the Continent, he returned to England prepared to turn to his advantage the uneasy state of the public mind. He contracted or renewed an intimacy with one Tonge, rector of one of the city parishes. It is uncertain how far Tonge was a partner with Oates in the original fabrication of his stories, and how far only a dupe; but to him was assigned the first active movement in the plot which had been concerted. The King was taking one of his accustomed walks in St. James's Park, when a person known to him as occupying some subordinate position in the royal household approached, and entreated him to keep close to his train, for there were designs against his life. The man was questioned, and referred to Tonge as his informer.

His fictitious disclosures. 1678.

August 13.

Tonge was sent for, and brought to Lord Danby a paper containing a copious narrative of a conspiracy by Catholics against the established government in church and state. He said it had been left at his house, and that he did not know its writer, but thought he had means of tracing him.[1] Accordingly a few days later he reported that he had fallen in with the author, who proved to be a person of the name of Oates, and who had placed in his hands a second writing, of a tenor similar to the first.

August 14.

[1] Journals of the Lords, XIII. 538.

The narratives were full of details so incredible that both the King and the Treasurer were dismissing them as unworthy of further attention, when an unfortunate proceeding of the Duke of York elevated them into importance. Among those attached to the Duke's person was one Coleman, a zealous Romanist, and a restless busybody.[1] His name happened to be one of the many that Oates had worked into his stories. Discredited at court, but not yet inclined to despair, Oates took the step of making oath to his information before a magistrate, Sir Edmondbury Godfrey. The magistrate, who was a friend to Coleman, apprised him of the danger in which he stood. Coleman told the Duke of York. The Duke, always more jealous than was for his advantage, believed that the pretended plot was a fabrication of Danby, or at all events that he intended to use it to surprise Parliament with at its approaching session,[2] and divert attention from the question of his own impeachment.[3] As, in the Duke's opinion, it would be for the Treasurer's interest to maintain the truth of Oates's fictions in the willing ears of Parliament, the Duke thought it for his own interest to have those fictions scrutinized and exposed by calmer judgments before Parliament should meet. His pertinacity overcame the indifference and the contempt of the King, and Oates was summoned to tell his story before the Privy Council.

September 6.

Presenting himself in full canonicals, he testified that he had been employed in France and Spain by the Jesuits, been admitted into their counsels, and been frequently intrusted with their letters, of which, when he saw occasion, he had broken the seals. The facts which he was thus enabled to disclose were of the most portentous character. The Romanists, he

September 28.

1 Clarke, Life of James the Second, I. 533, 534.

2 Ibid., I. 525.

3 See above, p. 24.

said, intended to overthrow the established system of church and state in the three kingdoms of Great Britain. To this end they had collected large sums of money. The fire of London was their work. Jesuits from different countries had recently assembled at a house in the Strand, and matured other plans of mischief. They had hired different persons to assassinate the King, who were even now only awaiting an opportunity. Westminster was to be burned, and the ships on the Thames. The Pope had designated certain ecclesiastics to fill the English bishoprics. The informer added a variety of details, of a character, on the one hand, to obtain credit for his story, and, on the other, to alarm and inflame the public mind.[1]

The extreme improbability of many of his pretended revelations was manifest. The man's appearance was strongly against him. When questioned upon collateral matters with which he professed to be acquainted, he gave answers far wide of the known truth. He could not produce a single letter or other document, of the many which he declared to have been in his possession. His case had broken down, when, as a last resort, he asked for warrants to seize the papers of some of the persons whom he had accused; and a majority of the Council, some through timidity, some from inclination to try one more chance, acceded to his request.

Accident favored him, probably beyond his expectation. The papers of Harcourt, the chief Jesuit in England, were examined. They comprehended a record of the recent proceedings of the order, and some of them were in cipher. Nothing was discovered in them confirming the charges that had been made. But among the papers of Coleman, the Duke's servant, was found

[1] Burnet, History of his own Times, II. 34 – 37.

what the suspicious and vindictive spirit of the times invested with importance. They showed that Coleman had solicited from Father La Chaise, confessor to the King of France, a large sum of money, which he proposed to employ in advancing the interests of France and of the Romish Church in England. He had written that Papists "had a mighty work on their hands, no less than the conversion of three kingdoms, and by that perhaps the utter subduing of a pestilent heresy which had so long domineered over great part of the Northern world." There was nothing found that went further to connect him with the plot alleged by Oates, than this language. But it admitted of a construction which well served the purposes of crafty men in a controversy with the weak and timid. Coleman was sent to gaol, whence he was taken after a few weeks to be convicted and executed;[1] and Danby now felt secure of his power to reserve the question, to be discussed by Parliament when it should meet, and to divert the attention of that body from the charges pending against himself.[2]

November 27. December 3.

A mysterious death added to the prevailing excitement. The body of Sir Edmondbury Godfrey, before whom Oates had sworn to the truth of his story, was found in a ditch on a common near London. He had been stabbed through the heart, and there was a discoloration about his neck. The manner of his death has never been discovered. One theory has been that, being of a melancholy constitution, and disturbed by the troubles of the time, he killed himself with his own sword, and that the stain about the neck was caused by the contraction of his dress as he lay dying. The more violent Catholics

Death of Sir Edmondbury Godfrey. October 17.

1 Clarke, Life of James the Second, I. 533, 534; State Trials, VII. 1–78.

2 Journals of the Commons, IX. 523–530; comp. Burnet, *ubi supra*, 37–40; Clarke, Life of James the Second, I. 514–523.

maintained that he had been murdered by fanatical Protestants, for the purpose of charging the crime upon the rival Church. But the popular opinion was, that he came to his death by the hands of Romanists, in revenge for the part he had taken in authenticating the developments of Oates. This hypothesis, though perhaps as much wanting in probability as any other, fell in with the humor and with the designs of the hour.[1] The demagogues knew how to turn it to advantage. For two days multitudes thronged to Godfrey's house, to see his body as it lay in state; and it was borne to the grave by a long procession, in which seventy clergymen in their canonicals took part.[2]

October 31.

At the moment when London was wild with this alarm, the Parliament came together. It was to no purpose that the King, in his opening speech, scarcely alluding to the Catholic plot, earnestly called the attention of the estates of the realm to the necessity of large supplies of money, without which he could neither disband nor maintain the forces hitherto employed in the Low Countries.[3] Confused with the rumors of mysterious peril, and stimulated in their suspicions by the King's own chief minister, Parliament had no ear for anything but the fearful disclosures of Oates. A committee of investigation was raised. Guards were placed in the cellars of the Parliament-house, for security against another gunpowder plot.[4] The King was induced to banish by proclamation all Catholics, not householders, from London, and was advised to allow none but Protestants to cook his food or approach his person.

Meeting of Parliament. October 21.

1 State Trials, VI. 1474–1492; VII. 159–250; comp. Burnet, *ubi supra*, 40–42.

2 Dalrymple, Memoirs, I. 44.

3 Journal of the Lords, XIII. 293; comp. 375.

4 Ibid., 297–354; Journal of the Commons, IX. 519–547; State Trials, VI. 1430–1474; Parliamentary History, IV. 1006–1015.

Thus was at once expressed and stimulated a popular frenzy, which was destined to be checked only through the experience of its excesses. The English race, habitually wary and slow to be excited, is nevertheless susceptible of the grossest delusions, and capable, when under their sway, of the wildest extravagance. The epidemic folly which, in other times, at home and in America, made innocent persons its victims under the charge of witchcraft, was calm and merciful compared with the madness that at this period condemned quiet and loyal subjects to the doom of traitors. Oates was rewarded with a pension, and with a lodging in the royal palace. The example of his success was fruitful. Dangerfield, Turberville, Dugdale, Bedloe, Carstairs, Jennison, Smith, are some of the ignoble names which the record of this shameful passage in English history has preserved. When the testimony of one informer was discredited by its preposterous character or by other refutation, others were at hand freighted with a new stock of falsehoods. As their experiment on the public credulity gave them increasing encouragement, the effrontery of Oates and his coadjutors increased day by day. Scroggs, Chief Justice of the King's Bench, and his associates on that tribunal, insulted the witnesses who were produced for the accused. Juries, peremptorily instructed by the court, and themselves sharing in the popular fury, listened to prosecutions with a verdict of conviction on their lips.

Popular frenzy.

Appearance of other perjurers.

It is needless to recite the successive acts of this monstrous tragedy. The King feared to interpose, lest he should increase the jealousy of his being in league with the persecuted party. The Treasurer found it to be his interest to fan the flame, because, so long as Parliament should be busy with the Popish plot, it would be diverted from the prosecution of the impeachment with which he was still threatened

Fright and artifices of the Protestant statesmen.

This position of Danby seemed to Lord Shaftesbury and the popular leaders to leave them no choice but to undermine him, if they might, by a degree of extravagance which should make even his Protestant fervors seem lukewarm.[1] Far better men than any of these became their allies, through a too easy faith in the imposture. It was true that the government and Church of England were in danger from Romanist plots; and Oates and his partners had calculated wisely that a reasonable apprehension of hostile designs would help to obtain credit for the story of absurd and horrible machinations which they invented. The brave and upright William Lord Russell, and not a few of the intelligent and generous patriots with whom he counselled, fell into the snare; and, though too right-minded to maintain the reality of all the enormities which were reported, they countenanced the opinion that there was a basis of alarming facts.

Under a complication of patronage so powerful, it seemed as if there was nothing which the vulgar miscreants might not hazard. Oates produced a list of Catholic noblemen and gentlemen who, he said, had been appointed by the General of the Jesuits to high commands under the new government to be established. At length he ventured so far as to charge the Queen with conspiring against her husband's life, and to demand at the bar of the House of Commons her arraignment for high treason.[2] The panic

October 23.

November 28.

1 Clarke, Life of James the Second, I. 546. By many persons whose judgment is of weight, not only such as were affected by the passions of the time, but writers more recent, this has been regarded as far from being the whole of Lord Shaftesbury's connection with the Popish plot. "Shaftesbury, who ..... knew well the power of popular rumors at times when popular passions are in ferment, framed the fiction of the Popish plot in the year 1678, in order to bury the Duke, and perhaps the King, under the weight of the national fear and hatred of Popery." (Dalrymple, Memoirs, I. 43.) "Some papers I have seen convince me he contrived it." (Ibid.)

2 Journal of the Commons, IX. 549; Journal of the Lords, XIII. 389, 391; comp. Burnet, *ubi supra*, 50; Clarke Life of James the Second, I. 529.

made by his pretended disclosures dictated severe measures of prevention. Throughout England the local magistrates busied themselves in disarming Catholics, and requiring security for their good behavior. It was said that in London two thousand persons were imprisoned under a charge of treason, and no less than thirty thousand were banished to a distance of ten miles from the city for refusing to take the oaths of allegiance and supremacy. The train-bands kept guard in the streets night and day, and the avenues to the palace were guarded by artillery.[1]

Persecution of Catholics.

Parliament had not been in session three days before a bill was introduced providing for the exclusion of Catholics from seats in each of the Houses, and from the royal councils. It was passed by the Commons almost without opposition.[2] The Lords concurred in the measure after some weeks' delay; but with an amendment which exempted from its operation the Duke of York,[3] who, as a measure of propitiation, had announced to them in his place that he had withdrawn from the Privy Council. Greatly to the disgust of the more fervid spirits in the House of Commons, the amendment was there also adopted by a majority of two votes.[4]

Exclusion of Catholics from public employments.

October 24.

October 28.

November 20.

November 21.

Parliament had now a little leisure for attention to Lord Danby. Early in this year, he had reluctantly, under the King's orders, instructed Montague, then minister in France, to procure a pension for his master from Louis, as an acknowledgment of services rendered to that monarch in the recent negotiation for peace. Montague availed himself of the turn of the tide against the Treas-

1 Lingard, History of England, XII. 144, 148.

2 Journal of the Commons, IX. 519–522.

3 Journal of the Lords, XIII. 365.

4 Journal of the Commons, IX. 543.

urer, and came home to denounce him. Danby was informed of the threatened blow, and anticipated it by charging Montague before the Council with having been too intimate with the Pope's nuncio at Paris. Montague's papers were seized; but he had contrived to secrete those which implicated the Treasurer, and they were brought before the House of Commons. Partly upon the evidence which they furnished of official misconduct, and partly upon other grounds, a vote was passed to impeach Danby for high treason and for other crimes.[1]

Proceedings against Lord Danby.

December 19.

December 21.

The articles were carried up to the House of Lords, and that body fixed a day for him to be put upon his trial. But the King could not venture to have the scrutiny go on. An ignominious and dangerous development awaited him, if Danby, in the peril in which he was placed, should be deterred from keeping their joint counsel. Parliament was suddenly prorogued, and was soon afterwards dissolved by proclamation.[2] The members separated in a frame of mind far different from that in which

Dissolution of the Second Parliament of Charles the Second.

December 30.

1679.

January 24.

1 Journal of the Commons, IX. 561; Parliamentary History, IV. 1053–1073; comp. Burnet, *ubi supra*, 57–59. On this occasion the Earl of Caernarvon made a speech which was thought to be not without effect. "I know," he said, "not a little of the English history, from which I have learned the mischiefs of such kinds of prosecutions as these, and the ill fate of the prosecutors. . . . . The Earl of Essex was run down by Sir Walter Raleigh. My Lord Bacon, he ran down Sir Walter Raleigh, and your Lordships know what became of my Lord Bacon. The Duke of Buckingham, he ran down my Lord Bacon, and your Lordships know what happened to the Duke of Buckingham. Sir Thomas Wentworth, afterwards Earl of Strafford, ran down the Duke of Buckingham, and you all know what became of him. Sir Harry Vane, he ran down the Earl of Strafford, and your Lordships know what became of Sir Harry Vane. Chancellor Hyde, he ran down Sir Harry Vane, and your Lordships know what became of the Chancellor. Sir Thomas Osborne, now Earl of Danby, ran down Lord Chancellor Hyde; but what will become of the Earl of Danby, your Lordships best can tell. But let me see that man that dare run the Earl of Danby down, and we shall soon see what will become of him." (Parliamentary History, IV. 1073.)

2 Ibid. 1074; Journal of the Lords, XIII. 448.

they had come together. This was the Parliament which, eighteen years before, had assembled in a mad enthusiasm of devotion to the restored King, to offer him power even more despotic than his indolent nature craved. His shameful maleadministration had converted them. Compelled more and more to distrust and despise him, they had retraced the way to the mood of that great Parliament which had convened thirty-eight years before. If the public virtue of the former period had at the same time been recovered, the parallel would have presented a more grateful subject for contemplation.[1]

The King saw himself urged by considerations of personal safety to take a resolute stand, which the same coercion of circumstances made him maintain, through two years more, to a successful issue. He summoned another Parliament. The elections were carried on amidst unprecedented excitement,[2] and the new House of Commons proved to be even more hostile to him than the last had become. Lord Danby saw the storm that was brewing, and prevailed on the King to send his brother to the Continent; and the Duke accordingly withdrew to Brussels, having first obtained from Charles a declaration, made in the presence of the Council, of the illegitimacy of the Duke of Monmouth. Parliament, on coming together, insisted so pertinaciously on the right to choose its Speaker, that, at length, the King's candidate was withdrawn.[3] It immediately revived

Meeting of the Third Parliament of Charles the Second. March 6.

March 4.

March 22.

1 "Thus ended that Parliament," so reflected the Duke of York, "which had sat seventeen years, and had been assembled to heal those national wounds which had bled nearly twenty years before; and though it had then concurred with inexpressible joy to reestablish injured monarchy, it was broken for endeavoring with as much ardor and earnestness to pull it down again." (Clarke, Life of James the Second, I. 535.)

2 Burnet, *ubi supra*, II. 75; North, "Examen," 504; Parliamentary History, IV. 1077, 1078.

3 Ibid., 1091–1111.

the impeachment of the Treasurer; and by a vote of the Lords he was committed to the Tower.[1] When brought again to the bar of that House, he pleaded a pardon which had been granted him by the King. The Lower House replied, that the royal pardon gave no protection against a process instituted by the Commons of England.[2] The question was one of such delicacy as scarcely admitted of a speedy settlement, and other matters intervened to postpone it.

April 16. April 25. May 5.

Sir William Temple was summoned to advise the King. He represented that the existing exigencies called for the adoption of a new method of carrying on the government, such as should remove causes of mutual dissatisfaction, and engage the leaders of the popular movement in the maintenance of the royal authority.[3] His plan was adopted; and a Privy Council was formed, without whose approbation the King declared that he would take no important step.[4] It consisted of thirty noblemen and gentlemen, designated by himself, half of them being high functionaries of the government, the other half persons without official station. Lord Shaftesbury was a member, as were also the Earls of Essex, Sunderland, and Halifax, and Lord Russell, with others more or less pledged to the popular doctrines.

New scheme for a ministry.

The scheme came to nothing. The King could not overcome his disgust for the advisers whom he had reluctantly consented to receive; and they, finding them-

1 Parliamentary History, IV. 1114–1121; Journals of the Commons, IX. 574; Journals of the Lords, XIII. 521.

2 Parliamentary History, IV. 1129; Journals of the Commons, IX. 612. "We find no precedent that ever any pardon was granted to any person impeached by the Commons of treason." (Report of Sir Francis Withington, April 28, in "Collection of Some Memorable and Weighty Passages, in relation to the Impeachment of Thomas, Earl of Danby," 19.)

3 Works of Sir William Temple, II. 506–511.

4 Journals of the Lords, XIII. 530.

selves little regarded, and not even punctually summoned to the royal consultations, gradually withdrew from the unprofitable service,[1] to revert to the policy of coercion. So absolute was their control at this time over the House of Commons, that they brought that body to a unanimous resolution, — and that on a Sunday, — "that the Duke of York's being a Papist, and the hopes of his coming such to the crown, had given the greatest countenance and encouragement to the present conspiracies and designs of the Papists against the King and the Protestant religion."[2] The motion was made by Mr. Hampden.

Proceedings against the Duke of York. April 27.

It was now manifest that the fear of Catholic ascendency in England would take the practical form of an attempt to exclude the Catholic Duke of York, by Act of Parliament, from the succession to the crown. The steadfastness of the King's opposition to this measure seemed so foreign to the levity and selfishness of his character as to occasion surprise. But it is to be remembered that the danger of a Popish successor must have appeared to him to be his own best security. If the succession should be so settled, that his own death or deposition would make way for a prince of unquestionable Protestant principles to ascend the throne, the existing anxiety of his Protestant subjects for the safety of his person might reasonably be expected to abate.[3]

1 Works of Sir William Temple, II. 518.

2 Journals of the Commons, XIII. 605; Parliamentary History, IV. 1127; Clarke, Life of James the Second, I. 547.

3 I find an illustration of this thought in that forgotten book, James Peirce's "Vindication of the Dissenters," &c., published in 1718, when the traditions of the Exclusion Bill were still fresh. He quotes his episcopal opponent as saying in behalf of Churchmen: "They had these objections against that design; that this design was only an introduction to some others which durst not yet be owned; ..... and that men of republican principles began with disinheriting one person of the royal family, to make way for the extirpation of the whole." (Vindication, &c., pp. 249, 250.) From this

He played his part at this period with prudence as well as with constancy. Endeavoring to disarm the popular rage by concessions, he professed his willingness to adopt any measures which the wisdom of Parliament might account necessary to protect the Protestant religion of England against a Popish sovereign. He offered to consent to a law, which should take ecclesiastical preferments out of the hands of any king of that persuasion and intrust them to the bishops, and which should in like manner deprive a Catholic monarch of the power of appointing or removing judges, privy counsellors, and officers of the militia and of the navy, without the consent of Parliament. He added, that he was ready to accede to any further restriction that might be thought needful, and that would not violate the established order of hereditary succession.[1]

April 30.

But the patriot leaders refused to be persuaded that religion and liberty would be safe, if, under any conditions, the Duke were to come to the throne. By a majority of seventy-nine, the House of Commons sent to a Committee of the Whole a bill to exclude him forever from the succession. At the King's death the crown was to pass to the next heir after his brother, and the Duke was to be adjudged guilty of treason, if he should pretend to perform any act of sovereignty, or should so much as come within the realm.[2] Unfortunately for the prompt advancement of this object, the Commons determined to press on the other House the impeachment of Lord Danby, and the question of the validity of his pardon from the King.[3] The prosecution of this impeachment would have dis-

Exclusion Bill. May 21.

able treatise there is a great deal to be learned, which I have not seen so fully stated elsewhere, in relation to the perfidious and cruel treatment of Dissenters in these years. (See, for examples, pp. 242, 243, 255 – 261.)

[1] Journals of the Lords, XIII. 547; Parl. Hist., IV. 1128, 1129.

[2] Ibid., 1136; Journals of the Commons, IX. 626.

[3] Journals of the Commons, IX. 631 – 633.

closed the baseness of the King's negotiations with France; and he had thus a twofold reason for putting an end to the debates. Without so much as consulting with his newly-made Council, he prorogued the Parliament, and a dissolution speedily followed.[1]

Dissolution of the Third Parliament. May 27. July 10.

Another Parliament was convoked, for the King was always in want of supplies. But, before the day appointed for the meeting, the King of France agreed to provide the money that was immediately needed;[2] and a prorogation was published, which was afterwards extended for a year. Meantime the popular leaders began to put forward the claims of the Duke of Monmouth as heir to the throne. He was the favorite son of the King, borne to him by a Welsh girl whom it was pretended that he had privately married. Monmouth, who was now thirty years old, possessed some attractive qualities, which, added to his uncommon personal beauty,[3] made him fit to be a popular idol. Lord Shaftesbury, who saw himself to have gone so far that his only safety lay in pressing on to the ruin of the prince whom he had provoked, went with an attendance of Lords and eminent Commoners before the grand jury of Westminster, and, presenting an

The Duke of Monmouth.

Information against the Duke of York. 1680. June 26.

[1] Ibid., 634; Journals of the Lords, XIII. 596; Clarke, Life of James the Second, I. 547–554. The last day but two of the session was signalized in British history by the passage of the *Habeas Corpus* Act. (Parl. Hist., IV. 1149.) It is a very singular fact, but well established, that it was passed by a miscount of the vote on a division in the House of Lords. (Amos, The English Constitution, &c., 191–194.) It had passed the Commons four years before. (Parl. Hist., IV. 661, 665.) From the passage of this Act, says Blackstone (Commentaries, IV. 438), may be dated "the complete restitution of English liberty, for the first time since its total abolition at the conquest." But for some wretched years it was a restitution only in name.

[2] Clarke, Life of James the Second, I. 564.

[3] "Exquisitely beautiful." (Dalrymple, Memoirs of Great Britain and Ireland, I. 47.) His beauty and his mother's notorious frailty brought his paternity into question. One story was that he was the son of Algernon Sidney's brother Robert, "the most beautiful man of the age." (Ibid. 48.)

information against the Duke of York, asked for proceedings against him as a Popish recusant. The judges parried this blow by discharging the jury.[1] Petitions in great numbers were brought to the King, praying him to convoke the Parliament. The court party replied with memorials expressing their *abhorrence* of this attempt to coerce the sovereign.[2] The opponents and the friends of high prerogative were now distinguished by the names of *Petitioners* and *Abhorrers*, which, however, were soon superseded by the appellations, still in use, of *Whig* and *Tory*.[3]

New names of parties.

At length King Charles's Fourth Parliament met; but it was not allowed to transact business till after a year, and after seven prorogations.[4] Its first proceeding, when it got to work, was to listen to an information, from Dangerfield, of treasons of the Duke of York, including a conspiracy against the life of the King.[5] The Bill of Exclusion was again introduced, and was debated for a week. It passed the House of Commons,[6] but, after a vehement discussion, in which the Earl of Halifax exerted his extraordinary eloquence against it, was thrown out by the Lords.[7] A sharp altercation followed between the Commons and the court, during the continuance of which the Romanist Viscount Stafford, informed

Fourth Parliament of Charles the Second.

October 17.

October 26.

November 11.

1 State Trials, VIII. 179, 180; Journals of the Commons, IX. 688. The Commons resolved unanimously (Ibid. 691), that the conduct of the judges, on this occasion, was "arbitrary and illegal, destructive to public justice, a manifest violation of their oaths, and a means to subvert the fundamental laws of this kingdom, and to introduce Popery." Shaftesbury, when he made the information against the Duke, "desired, at the same time, the Duchess of Portsmouth might be presented too as a common nuisance." (Clarke, Life of James the Second, I. 591.)

2 Burnet, *ubi supra*, 112.

3 Rapin, History of England, II. 712.

4 Journals of the Commons, IX. 637, 638.

5 Ibid., IX. 640; comp. Journals of the Lords, XIII. 667 – 679.

6 Journals of the Commons, IX. 651; comp. Clarke, Life of James the Second, I. 601 – 613.

7 Parliamentary History, IV. 1215, Clarke, Life of James the Second, I. 615 – 619.

against by Oates and his comrades, was condemned and executed for treason.[1] The contest was suspended by a prorogation of the Parliament, which was immediately followed by a dissolution.[2] The tide had begun sensibly to turn. The enormities of the informers had become too gross for the public credulity or patience. The pressure upon the King to make him do violence to his fraternal feelings seemed to many minds ungenerous. He felt strong enough to take the unusual step of convoking his next Parliament at Oxford, where he would be out of reach of the tumults of the capital.

Conviction and execution of Lord Stafford. December 29.

Dissolution of Parliament. 1681. January 10. January 18.

The interval before its meeting was dexterously and successfully employed by the King in preparing himself to set it at defiance. The reconciliation with his people, which he despaired of making on any terms tolerable to himself, but without which he would absolutely need some other resource for a supply of money, was a consummation equally dreaded by the King of France, against whom it would have consolidated a formidable power. Parties so clearly united in interest could not be long in coming to terms. By a secret treaty, to which no one was privy except the contracting monarchs and one counsellor on each side, Louis engaged to pay to the King of England two millions of livres immediately, and five hundred thousand crowns in each of the next two years.[3]

Treaty for a French subsidy.

Accordingly, when Parliament met, the King addressed them with the confidence of a person secure of his position. Again he proposed to them the measure, which had been before rejected, for restraining the regal power, should it devolve

Fifth and last Parliament of Charles the Second. March 21.

1 State Trials, VII. 1294 – 1567; Clarke, Life of James the Second, I. 635 – 637.

2 Parliamentary History, IV. 1295.

3 Clarke, Life of James the Second, I. 664, 715.

on a Papist, in such a manner as to protect the National Church.[1] There can be little doubt that he renewed this offer for the mere purpose of forcing the Whigs into the attitude of an unreasonable and passionate faction. As he expected, the House of Commons rejected the proposal, and voted that a Bill of Exclusion should be drawn.[2] He had been ready for this exigency since the time when the treaty for his subsidies was signed. To the astonishment of all England, — not more to the surprise of the statesmen on both sides than to that of his household attendants, and even of his favorite mistress, — he went the next day without state to the House of Lords, sent for the Commons, and dissolved the Parliament.[3] It was the last Parliament which came together in his reign. Once more the government of England was vested in the King.

March 24–26.

Its dissolution. March 27.

Some of the shameless informers, whom the Whigs had so dishonored and harmed themselves by employing, now took the new path which opened itself to their avarice, and enlisted in the service of the court. The first victim on the now defeated side was a person named College, who had exposed himself by some intemperate language at Oxford, while the recent Parliament sat there. He was indicted for a conspiracy to seize the person of the King. Dugdale and Turberville were used as witnesses against him. Oates's testimony impeached theirs. The jury was inclined to believe the worst. College was convicted and executed.[4]

Prosecutions by the court.

August 31.

Lord Shaftesbury was a more shining mark. By wit-

[1] Journals of the Lords, XIII. 745, 746.

[2] Parliamentary History, IV. 1307–1311, 1318–1331.

[3] Ibid., IV. 1339; Clarke, Life of James the Second, 667, 670–673. Roger North (Examen, 98–107) expounds the policy of the courtiers at the Parliament of Oxford, and expresses (*more suo*) their exultation at the King's triumph.

[4] State Trials, VIII. 550–746.

nesses whom he had formerly employed, he was accused of having suborned them to perjury against the Queen and the Duke of York. He was committed to the Tower, and an information against him for treasonable machinations during the late Parliament was laid before the grand jury. The Sheriffs of London were Whigs, and the jury, named by them, threw out the bill.[1]

Close of Lord Shaftesbury's public career July 2.

November 24.

This time the court was baffled; but measures were immediately taken to obtain a great revenge, and they introduced a course of proceeding of the utmost practical efficiency. Now that Parliaments were disused, whatever organized power still remained capable of resistance to the despotic measures of the court resided in the municipal corporations. It was resolved to take advantage of the broken spirit of the time to humble and disable them, and the King was advised to begin with the city of London. The city was cited by a writ of *quo warranto* before the Court of King's Bench, to show cause why it should not lose its charter for acts of maleadministration, the offences charged being the imposition of a tax on articles of commerce brought within its limits, and the circulation of a petition in which the King was traduced as having, by "the late prorogation" of Parliament, interrupted "the prosecution of the public justice of the kingdom, and the making the provisions necessary for the preservation of his Majesty and his Protestant subjects."[2] In behalf of the city it was argued that the tax complained of was just, necessary, and conformable to ancient practice, and that the by-law

Vacating of the charter of the City of London.

1 Clarke, Life of James the Second, I. 687–689, 713, 714; State Trials, VIII. 759–821. Let the reader, who wishes to understand the proceedings, the doctrines, and the passions of that time, by no means overlook the magnificent partisan sketches in Dryden's "Absalom and Achitophel," "Medal," "Religio Laici," and "The Hind and the Panther."

2 The petition is in the Somers Tracts, VIII. 144.

by which it was levied was within the powers conferred by the charter; that the language of the petition was not seditious, but suitable to the purposes, and not exceeding the lawful privilege, of such a document; and that, at all events, it was a proceeding unknown to the law of England to punish the whole of a numerous community for an act which, if criminal, was chargeable only upon the persons whom they had temporarily invested with authority to manage their affairs.

The prosecution prevailed, and the judges solemnly decreed that "the franchise of the city of London should be seized into the King's hands."[1] That great corporation which, all through the history of England, had maintained a sort of republican sovereignty, and which, forty years before, had turned the scale that held the government and the life of Charles the First, was now at the mercy of his son. The Common Council presented an humble petition, imploring the royal forgiveness. It was granted on terms which secured the object for which the proceeding had been instituted. The city received its charter again, but with a provision which gave the King a negative voice in its elections of magistrates. The example was not lost. Several boroughs hastened to make a merit of a prompt show of loyalty, and to obtain moderate terms of submission by not waiting to be prosecuted. Writs of *quo warranto* were issued against the more refractory, and the forfeiture which, under the administration of Jeffreys, lately made Chief Justice of the King's Bench, was sure to follow, was succeeded by the granting of new charters shorn of the ancient liberal provisions which had enabled the corporations to offend the court.[2]

1683. June 12.

Disfranchisement of other corporations.

[1] State Trials, VIII. 1039–1270; Clarke, Life of James the Second, I. 737.

[2] The importance attached by the courtiers to this series of transactions may be seen in North's "Examen," a vindication "of the Honor of the late King Charles the Second, and his Happy Reign," 624–644.

The patriot party were not prepared to acquiesce in their defeat, and wait till another reaction of the public mind should afford opportunity to recover their lost ground by constitutional proceedings. The present disgrace, and the apprehension of a Popish successor to the throne, seemed intolerable. Some of the leaders held secret meetings for consultation on violent methods of redress. Plans for risings in different parts of England were discussed, and a correspondence was established with the sufferers from ecclesiastical despotism in Scotland, and especially with the Earl of Argyll. Among the eminent persons who more or less took part in these communications were the Duke of Monmouth, the Earl of Essex, William Lord Russell, son of the Earl of Bedford, and Algernon Sidney, son of the Earl of Leicester. They, with Lord Howard, and John Hampden, grandson of the illustrious patriot of the Long Parliament, constituted an executive committee, which was called the "Council of Six."

Conferences of Whig leaders.

Simultaneously with these consultations, there was going on, in a different circle, a movement of a less cautious character. A knot of restless men, among whom were a few lawyers, some merchants, and two field officers of Cromwell's old army, had a scheme of their own, which took shape in arrangements for the assassination of the King and his brother. The King was in the habit of going to the annual races at Newmarket. On the way to that place was a farm, with a house called the *Rye-House*, belonging to Rumbald, one of the conspirators. He proposed to his associates that they should here stop the King's carriage by overturning a wagon in the road, and then shoot him from behind a hedge.

The Rye-House Plot.

One of these plotters, a tradesman of London, named Keyling, had offended the court by some proceedings in relation to the conflict with the city.

June 12.

Apprehensive of the consequences, he determined to protect himself by a disclosure of his secret to the Secretary of State.[1] His associates obtained intelligence of his treachery, and most of them immediately found hiding-places. One however, named Barber, was apprehended, and made a confession which corroborated Keyling's story.[2] Another, Colonel Rumsey, was acquainted with the existence of the "Council of Six," though it does not appear that he had any confidential relations with that body. He informed against the person (one Shepard, a city merchant) at whose house the Council was used to assemble, and he in turn was prevailed upon by threats and promises to tell what he professed to know of their proceedings.[3] Essex, Howard, Russell, Sidney, and Hampden were immediately apprehended on his evidence. The Duke of Monmouth surrendered himself, and obtained a pardon from his doting father, but, still deeming his position insecure, passed over privately to Zealand.[4] Lord Grey, who was implicated by the disclosures that were made, also escaped to the Continent.[5] Shaftesbury, who had been actively concerned in the movement, had, at an earlier stage, become disgusted by its slow progress; and despairing of its issue, and alarmed for his own safety, had withdrawn to Holland, where he died before the exposure took place.

June 24.

Arrest of Whig leaders.

June 25.

January 23.

The trial of three of the Rye-House conspirators, who were convicted and executed,[6] prepared the way for a proceeding of vastly greater interest to all parties in the English nation. Before the rage excited by the developments of a plot for the assassina-

July 12.

1 State Trials, IX. 353–371.

2 Ibid., 383, 384.

3 Ibid., 374–383, 393, 596, 600.

4 Clarke, Life of James the Second, I. 738–744.

5 State Trials, IX. 499–502.

6 Ibid., 519–578, 638–654.

tion of the King had had time to subside, Lord Russell was brought to the bar. On the whole, no man at this time held a higher place in the esteem of his countrymen. If not possessed of shining abilities, his courage, constancy, disinterestedness, and zeal commanded as well the respect of his adversaries as the perfect confidence of his friends. The rank and fortune to which he was born were of the best in the kingdom. The "sweet saint," his wife, was daughter of Lord Southampton, whose influence at court had been scarcely equalled by that of any other upright man.

Trial and conviction of Lord William Russell.

It was impossible for the court to spare Russell's life, when it had got him in its power. His pertinacious opposition to it through his whole public career, and especially his ardent advocacy of the exclusion of the Duke of York from the throne, marked him out for a choice example. Rumsey testified that the Council, in Russell's presence, had considered a plan for disarming the royal guard. Lord Howard also became King's evidence, and swore that Russell had consulted with the rest of the Council as to the best place for a military rising. The prisoner denied having been a party to either of these schemes, and objected to the credit of the witnesses, as testifying under influences of fear and favor, and to the sufficiency of their evidence, if received, to establish the crime of treason, so precisely defined by ancient statute. The court ruled the law against him. The jury found the evidence credible and sufficient, and brought in a verdict of guilty. His wife solicited his pardon from the King and from the Duke. The Earl of Bedford, his father, endeavored to buy, with a large sum of money, the influence of the Duchess of Portsmouth. But the pleasure of revenge for so long a series of annoyances and mortifications was too great for the King, his mistress, and his brother to forego. That triumph over the lately overbearing Whig party, which would be signalized

by the ruin of such a champion, was too great a luxury to be only moderately tasted. At the end of a week from his trial, Russell was executed in Lincoln's Inn Fields, in London, maintaining to the last the dignity and calmness which, through the vicissitudes of a stormy life, had marked him as prepared for any fortune.[1]

His execution. July 21.

On the day of Russell's arraignment, the Earl of Essex, a man of melancholy constitution, committed suicide in the Tower.[2] After a pause of four months, Algernon Sidney was brought to trial before the Court of King's Bench. Jeffreys, who now presided in that Court, after being frightened by the Whigs into resigning the place of Recorder of London,[3] was a man of low origin, boisterous in manners, brutal in his temper, and profligate in his life. But he had obtained a reputation at the bar for shrewdness and professional learning. It may be presumed that they who recommended him to the King for the great advancement now attained by him had made their observations as to his capacity for the services which in their judgment the times required, and that they had assured themselves that no scruples would stand in the way of his revenge or his ambition.

Trial of Algernon Sidney. November 21.

Sidney, notwithstanding his lofty lineage, had early adopted republican opinions, and had been in his youth

1 State Trials, IX. 578–636, 683–696; Lord John Russell, Life of William Lord Russell, II. 98–107, 262–282.

2 Such is the received statement of the manner of Lord Essex's death. But there was also a different opinion on the subject. Peirce (Vindication, &c., 254) mentions some facts inconsistent with the idea that Essex died by his own hand, and adds: "'T was plain to any man that would make any observation, that the Earl of Essex was murdered, in order to their compassing the murder of my Lord Russell. For the murder was so contrived, as that the news of it might come just as my Lord Russell was at the bar, and the Attorney-General and the Lord Chief Justice made great use of this as an evidence of my Lord's guilt." (Comp. State Trials, IX. 602, 603.)

3 Lord Campbell, Lives of the Chancellors, III. 521.

a zealous actor in the movements which preceded the elevation of Cromwell. Rejecting the friendship of the Protector, he withdrew to the Continent, and there remained till seventeen years had passed after the reinstitution of the monarchy. Having then obtained a pardon and returned home, he entered actively into the politics of the opponents of the court; and no man, unless it were Lord Shaftesbury, was regarded by the Tories with so much personal antipathy. At his trial, the defects in the unsatisfactory evidence of Lord Howard were supplied by some papers, found in the prisoner's apartment and said to be in his handwriting, in which were asserted the doctrines of the superiority of popular institutions to monarchy, and the lawfulness of resistance to despotic government. The prisoner argued that, by whomsoever written, the appearance of these papers indicated them to be productions of no recent date; that they had not been proved to be his composition; and finally that they had never been published by him, and so could at most be only regarded as something on which he had employed his private leisure. Whatever had in fact been his legal criminality, there was an utter failure of the conditions of a legal conviction. But the Chief Justice was resolved to recommend himself on this first great occasion; the new form of popular madness had infected the jury; and, after a consultation so brief as to seem only formal, the prisoner was found guilty. He met his fate with the lofty constancy that had illustrated all his life.[1]

His conviction and execution. November 26. December 7.

The extravagance of the Whigs in their prosecution of the alleged Romish plot, especially in their use of the evidence of Oates and his partners, had begun the reaction against their influence; their resolute adherence to the policy of excluding the Duke of York from the succession

[1] State Trials, IX. 818–950.

and accepting no other security, increased the popular distrust and estrangement, and lost them the alliance of that numerous class of persons, who in every nation are sluggish in respect to principles, and whom the vigorous action of any party alarms and alienates; and, finally, the disclosure of the Rye-House plot for assassination, artfully represented by the courtiers as being part and parcel of a conspiracy of the "Council of Six" and their friends, completed the temporary ruin of the party, which, three years before, in unhesitating reliance on the support of the English people, had confronted the King, and defined absolutely the terms of amity between him and his subjects.

The discomfiture of the schemes of the Whig leaders, and the fate of Essex, of Russell, and of Sidney, had settled the question of power. Shaftesbury had ended his life in exile. Howard, never more than a tool, had passed over to the other party; Hampden's consequence rested on nothing but his money and his name; and it seemed that Monmouth, only formidable when under the direction of some stronger mind, might, without much hazard, be left to his own devices. The court could afford to be lenient, and perhaps was wise enough to be inclined to lenity by fear of another such revolution of sentiment as had lately restored it to the power of being cruel. There were a few more trials, followed by some executions of persons of no great importance. Hampden escaped with a fine of forty thousand pounds.[1] With a rude justice, Oates was dealt with more severely. Convicted of slandering the Duke of York by calling him "a Popish traitor," he was condemned to a fine of a hundred thousand pounds, and to lie in jail till it was paid, — a sentence equivalent to imprisonment for life.[2]

Complete depression of the patriot party.

November 28.

1684. June 18.

[1] State Trials, IX. 1053–1126.

[2] Ibid., X. 125–148.

The King risked the displeasure of his Protestant supporters, first by recalling the Duke of York to court, and then by reinstating him in his places of Privy Counsellor and Lord High Admiral,[1] in defiance of the unrepealed Test Act. On the other hand, he gratified them by marrying his brother's second daughter to the brother of the Protestant King of Denmark.[2] Everything in the kingdom seemed quiet. Passive obedience was the received doctrine of books, of the circles, and of the pulpits. Filmer's argument, worthy of an Oriental slave, was received with acquiescence and applause by the brave and thoughtful English people. "Not only," he wrote, "in human laws, but even in divine, a thing may be commanded [by the King] contrary to law, and yet obedience to such a command is necessary."[3] The University of Oxford, in a decree "against certain pernicious books and damnable doctrines," almost echoed his enormous servility; and that learned body gave practical expression to its theory by ordering a bonfire to be made within its precincts of the writings of Owen, Milton, Baxter, and other great men whom the fame of England cannot spare.[4]

Restoration of the Duke of York. 1682. March

1684. August.

Marriage of the Princess Anne. July 23

A despotism reinstated in England.

Nor had the King and the Duke less cause to be satisfied with the condition of things in Scotland. Under the vigilant and cruel administration of Lord Lauderdale, every movement of dissentients was for a time effectually repressed. At length, to disperse some quiet conventicles in the Western Lowlands, eight thousand troops — six thousand of them Catholic Highlanders — were sent to live at free quarters in that country, where their disorders occasioned a new outbreak.[5]

1678. January.

1 Clarke, Life of James the Second, I. 726, 745.

2 Ibid., 745.

3 Filmer, Patriarcha, 100.

4 Somers Tracts, VIII. 420–424

5 Laing, History of Scotland, IV. 86–88.

The excitement communicated itself to the eastern counties, where the regent had, in other modes, made his sway no less oppressive. A company of angry men made an arrangement to waylay and chastise one Carmichael, an officer who had been especially busy in the persecutions. Their plan miscarried as to him; but, as they were parting, disappointed of their prey, the carriage of Sharpe,

1679. May 3. the apostate Presbyterian who had been made Archbishop of St. Andrews, came in view. They stopped it, and found it occupied by the prelate and his daughter. Dragging him from it, they put him to death. With this desperate act began another short-lived insur-

May 29. rection. At Rutherglen a number of persons assembled and put out the bonfires which had been lighted to do honor to the anniversary of the King's restoration, after burning in them the acts against con-

June 1. venticles. Three days after, at Loudon Hill, a party of Covenanters defeated three troops of horse under the command of John Graham of Claverhouse, afterwards Viscount Dundee.[1] To the disappointment of the Duke of York, who coveted the employment for himself, the Duke of Monmouth was sent up from Lon-

June 22. don to lead the royal forces.[2] He beat the rebels at Bothwell Bridge, and put an end to their ill-advised movement. Of twelve hundred prisoners who fell into his hands, two hundred and seventy were sold to slavery in the West Indies. Two preachers were hanged.[3]

Monmouth had scarcely returned to London, when the Duke of York received private permission to come

September 11. thither to visit the King, who had fallen ill.[4] It was thought imprudent by the King's advisers that his brother should remain near the court;

1 Laing, History of Scotland, IV. 97–101.

2 See above, p. 255.

3 Laing, History of Scotland, IV. 102–105.

4 Clarke, *ubi supra*, 559, 564.

but James obtained leave to change his place of exile from Flanders to Scotland, to which country he accordingly repaired. He had scarcely December 4. begun his new career by affecting reserve in regard to public affairs,[1] though taking his place in the 1680. Privy Council, when he was again recalled by February. the irresolute monarch to London. He remained at the capital most of the year, combating the assaults of the Whig leaders, and watching the intrigues which were on foot for the advancement of his nephew.

The day before the meeting of the English Parliament the Duke set off again for Scotland, being now October 20. invested with the administration of that kingdom as the Royal Commissioner. Under his Presidency the Scottish Parliament passed a Test Act, 1681. requiring every person holding office in the church, the army, or the civil administration, to renounce the Covenant, to assert the obligation of unlimited submission to the King, and to disavow all purpose of aiming at any change in the civil or religious institutions of the realm.[2] A breach of these engagements made the offender liable to the torture of the boot, at the infliction of which the Duke is said to have been sometimes present. The rigor of his administration of Scotland during a year and a half was emulated by the Earl of Aberdeen and the Earl of Queensberry, to whose hands the government was transferred on his departure.[3] Scotland was robbed, insulted, disabled, and miserable. Honest men had no shadow left of liberty, civil or religious, and no security for life.[4]

1 Clarke, *ubi supra*, 580; Laing, History, &c., IV. 110.

2 Clarke, *ubi supra*, 707; Burnet, *ubi supra*, II. 163; State Trials, VIII. 873, 874.

3 Burnet, *ubi supra*, II. 249–252.

4 "Thirty infamous years," writes Mr. Hallam, — he begins the series of these years with the Restoration, — "consummated the misfortunes and the degradation of Scotland. . . . . The tyranny of Lauderdale as far exceeded that of Middleton, as his own fell short of the Duke of York's. No part, I

In England, when three years had passed after the dissolution of the Parliament held at Oxford, a new question arose. Nothing could be more express than the law, re-enacted twenty years before, which required the issue of writs for a new Parliament at the end of three years from a dissolution; yet nothing could be more unwelcome to the King than the prospect of again meeting that assembly. Halifax urged him to conform to the law, a course which appeared the more safe by reason of the general submissive state of the nation, and the prostration of the boroughs to the pleasure of the court. But the Duke of York, seconded by the powerful influence of his brother-in-law, Lawrence Hyde, now Earl of Rochester, confirmed the reluctance of the monarch. And the King of France, now at the summit of his power, and liable to be embarrassed in his vast designs by nothing so seriously as by opposition on the part of England, used bribes and promises profusely, to confirm the unsteady spirit of Charles, and prevent him from convoking that assembly, which might prove itself inconveniently jealous for the honor of England and intolerant of the boundless ambition of her rival.

But the end was approaching. Throughout a life of profligacy the King had not neglected the care of his health. His presumptive heir was only two years younger than himself, and the princesses who came next in succession had been educated in the Protestant faith; so that religious Englishmen flattered themselves with the hope that, even if a Papist should ascend the throne, there would be a speedy

Death of King Charles.

believe, of modern history can be compared, for the wickedness of government, to the Scots administration of this reign. . . . . Besides the distinct testimonies that remain of atrocious cruelty, there exists in that kingdom a deep traditional horror, the record, as it were, of that confused mass of crime and misery which has left no other memorial." (Constitutional History, &c., II. 487–491; comp. Laing, History, &c., IV. 114–117.)

return to a better order of things. But now, having lately completed his fifty-fourth year, King Charles had a sudden attack of violent disease. As he rose from bed, the attendants observed that his speech was impeded, and that he could not command the movements of his limbs. He was relieved by bleeding, and at first it was hoped that his powerful constitution would conquer. But it proved unequal to the struggle, and on the fourth day he expired. 1685. February 2. February 6.

The catastrophe was so sudden as to excite suspicions that he had been poisoned; — by the Queen, as was thought by some; by the Duchess of Portsmouth, or the Duke of York, as was surmised by others. But there is no evidence to sustain these conjectures; and they have been dismissed by history as mere expressions of the restlessness of the public mind. Before his death, he was received within the pale of Rome. As he lay half conscious, he declined to receive the communion at the hands of the Anglican prelates who were in attendance in his chamber. His favorite French mistress sent to entreat the Duke of York to take care that his brother should not die unreconciled to the Church and to Heaven. The Duke, in a whisper, obtained the King's consent to bring a priest. The watchers in the apartment were nearly all dismissed, and by a private way, which had long served Chiffinch for his master's errands of a different kind, that useful servant introduced Father Huddleston, who had helped the King in his escape after the battle of Worcester.[1] When the priest had received the dying man's confession, and had administered extreme unction, he was conveyed away, and the crowd of courtiers was again admitted. This transaction took place by night, and the King died at noon of the next day.[2] That in his

1 Clarendon, History, &c., III. 559–561.

2 Clarke, Life of James the Second, I. 746–749.

last moments he had been adopted into the Church of Rome, was scarcely a secret of the time; but the circumstances of his profession are now known through documents which did not see the light till a much later period.[1]

[1] Barillon's Despatches in Fox's History of James the Second, Appendix, xi.–xv.; comp. Somers Tracts, VIII. 428, 429; Harris, Historical and Critical Account of the Life of Charles the Second, II. 55–65.

CHAPTER VII.

It has been mentioned that the calamities of New England in the conflict with the Indian tribes obtained little compassion in the mother country. This was not the worst. The time of the miserable distress of New England was seized upon by the counsellors of King Charles to deal her a destructive blow.

For nearly ten years after the frustrate attempt of Lord Clarendon to reduce Massachusetts to subjection, there had been almost a suspension of political relations between New England and the parent country. More pressing political concerns prevented a vigorous renewal of the enterprise. But the home government had never wholly abandoned it, and an embarrassment in the way of prosecuting it was removed when peace was made with the Dutch. 1674.

Renewal in England of designs against New England. 1671. May 26.

At an early time of the rule of the Cabal ministry, the Council of Foreign Plantations,[1] which had so far prolonged a feeble existence, was twice reconstructed.[2] At the first meeting of this board under its last organization, "the first thing done was to settle the form of a circular letter, ... to know the condition of New England, which appearing to be very independent as to their regard to Old England or his Majesty, rich and strong as they now were, there were great debates

1 See above, Vol. II. p. 444.

2 See above, pp. 32, 33. In the British Museum (Harleian MSS. 6394) are the commissions issued on these two occasions, with two full sets of Instructions. I have a copy of these papers, procured by Mr. Sparks. The Instructions lay stress on a strict execution of the Acts of Navigation in New England.

in what style to write to them; for the condition of that Colony was such that they were able to contest with all other plantations about them, and there was fear of their breaking from all dependence on the nation. . . . . Some of the Council were for sending them a menacing letter, which those who better understood the peevish and tetchy humor of that Colony were utterly against."[1] They determined to

June 6. send "a conciliating paper at first, or civil letter." Cartwright, who had served on Lord Clar-

June 21. endon's commission, appeared before them, and "gave considerable relation";[2] and the result of the im-

July 6. pression made by him was, that "a letter of amnesty should be despatched." At a subsequent meeting, the Council "made some proposal to Mr. Gorges

August 3. for his interest in a plantation there." A debate upon "sending a Deputy to New England" issued in a decision to take that course, and to furnish the Deputy "with secret instructions to inform of the condition of those Colonies, and whether they were of such power as to be able to resist his Majesty, and declare for themselves as independent of the crown."[3]

Once more the Council "deliberated on some fit per-

1672. son to go as commissioner to inspect their

January 12. actions in New England."[4] But, presently after, far more interesting matters demanded the attention of the government, and this scheme fell into neglect.[5] Be-

1 Evelyn, Memoirs, II. 343.

2 See above, p. 36, note.

3 Evelyn (Memoirs, 344–346). Evelyn was one of these Commissioners. A meeting of the Council, not mentioned by him in his Diary, took place August 12, as appears from a record among the Colonial Papers in the English State-Paper Office. Lauderdale, Arlington, Clifford, and six other Commissioners were present. They recommended to the King to send Commissioners, whose public instructions might be only to promote the general good of those Colonies, and to hear and determine the questions amongst them about their boundaries. "Other, secret instructions," it is added, "may be given them, wherein possibly they may, with good discretion, find opportunity to do your Majesty considerable service."

4 Ibid., 358.

5 See above, pp. 14, 15.

fore it was vigorously revived, the functions of both the Council of Trade and the Council for Foreign Plantations were restored to the Privy Council, by which body they had always been exercised previously to the Great Rebellion. For the management of these departments of its business, the Privy Council had a standing Committee called "The Lords of the Committee of Trade and Plantations."

Lords of the Committee of Trade and Plantations. 1675. March 12.

When the Privy Council turned its attention to New England, its first action was professedly prompted by a desire to do justice to the pretensions of Ferdinando Gorges and Robert Mason. These persons had not suffered their claims to sleep, though, after the peaceable settlement of the towns in New Hampshire and Maine under the government of Massachusetts, their complaints obtained little attention at court.[1] Their prospect brightened when, associating with themselves Lord Stirling, heir of the patentee of Nova Scotia, they presented to the King a memorial, in which they proposed to surrender

Claims of Gorges and Mason.

March 20.

[1] See above, Vol. II. pp. 620, 634. A memorial from Ferdinando Gorges, read to the Privy Council, January 28, 1670, set forth that his grandfather was dispossessed of "the Province of Maine" by the Governors of the Bay of Boston "for his loyalty to his Majesty," and that "the said Governors of the Bay of Boston had by force of arms taken possession of the said Province, and rejected the petitioner's officers." The memorial was referred to "the Committee of Trade and Plantations." (Journals of the Privy Council.) April 27, Gorges, with his witnesses (Colonel Nicolls being one of them), was ordered to be ready for a hearing on the 3d of May. (Ibid.) May 11, the Lords of the Committee having been satisfied of the truth of Gorges's representations, but "it appearing to be a matter of importance," it was further "referred to the consideration of the Right Honorable the Committee for Foreign Affairs." (Ibid.) — Mason's movements about this time are not equally matter of record. But he was understood to be not inactive. There is preserved a proposal to him (June 9, 1672) from Robert Pike, Deputy for Salisbury in the General Court of Massachusetts, called, in the indorsement of the paper, "an eminent lawyer of Boston," for an arrangement to "add their authority to his right." Pike begs him "not to proceed" in a "treaty with his Majesty about the surrender of the estate." (Colonial Papers in the English State-Paper Office.)

to him their respective patents, on condition of having secured to them "one third part of all the customs, rents, fines, and other profits which should be made in the said Province, or such other reasonable compensation in lieu thereof as his Majesty should see fit."[1]

There was another party, hostile to Massachusetts, whose aid in furthering the unfriendly designs of the court was of much more importance than any which could be contributed by the claimants of Eastern New England. The merchants and manufacturers of England were irritated by the evasion of the Navigation Laws, which was said to be practised in the New England Colonies, and especially in Massachusetts, whose commercial importance was now highly estimated. By those laws the exportation of various colonial staples was forbidden, except from the place of production to some English port; and in their import trade the colonists were restricted to a direct commerce with England, being forbidden to bring the products, not only of England, but of any European country, from any except English ports, or in any but English vessels.[2]

Complaints of English tradesmen.

1 Colonial Papers, &c. — The scheme implied the sending over of a royal Governor, "which will be a means," say the petitioners, "not only to hinder the further encroachments and usurpations of the corporation of Boston, but in a short time reduce them also under your Majesty's immediate government."

2 See above, Vol. II. pp. 444, 445; also, Sir Josiah Child, New Discourse of Trade, 146. The scheme of the Navigation Laws "borrowed," says Chalmers (History of the Revolt, &c., 98), "from the mercantile practice of the Carthaginians with regard to Sardinia and Corsica, was as politic as it was severe." The policy was, however, distrusted from the first by some of the best thinkers of England. "Some wise and honest gentlemen and merchants doubted whether the inconveniences it has brought with it be not greater than the conveniences." (Sir Josiah Child, Discourse of Trade, 85.) The modern philosophical school of English economists, from Adam Smith (Wealth of Nations, Book IV. Chap. VII. Part 2) to John Stuart Mill (Political Economy, Book V. Chap. X.), have scouted it. Even the blow it gave to Holland is represented, on authority than which none in this department is higher, as having recoiled with double force. (Merivale, Lectures on Colonization and Colonies, 111, 112.) Its oppression of the American Colonies is one particular of complaint in the American Declaration of Independence. "It would have ruined America," wrote

The evasion of these laws had been for several years a subject of discontent to the English merchants.[1] A petition of a number of them was presented to the King, praying for a strict enforcement of the regulations.[2]

That astute London merchant, Sir Josiah Child, wrote his "New Discourse of Trade" six or seven years after the enactment of the supplementary Navigation Act of King Charles the Second. In his view, as in that of the generality of statesmen and political economists before and after him, the function and use of colonies was to promote the trade and wealth of the mother country. "Colonies and foreign plantations," in his opinion, "do but endamage their mother kingdoms, when the trades of such plantations are not confined to their said mother kingdoms by good laws, and the severe execution of those laws."[3] The object of the Navigation Laws was to compel the colonies of England to subserve this use; and, "if they were not kept to the rules of the Act of Navigation, the consequence would be that, in a few years, the benefit of them would be wholly lost to the nation."[4] It was "more for the advantage of England that Newfoundland should remain unplanted, than that colonies should be sent, or permitted to go thither, to inhabit under a governor, laws, &c." "New England was the most prejudicial plantation to the kingdom,"[5] because of its competing, in many of its exports, with the productions of the parent country; because of its exemption, in consequence of chartered privileges and of a legal indulgence,[6] from a strict administration of the

1669.

John Adams (Works, X. 329), "if she had not resisted."

1 The "farmers of the revenue" had complained of this evasion as early as 1663. See O'Callaghan, Documents, &c., III. 48.

2 There is a copy of this document in Mass. Arch., CVI. 210.

3 Child, Discourse of Trade, 146

4 Ibid., 87.

5 Ibid., 135. The experience in Massachusetts of the factious Dr. Child (see above, Vol. II. pp. 168, 175, 177–179) is not likely to have made his brother friendly to that Colony.

6 See above, Vol. II. p. 445, note 1.

Navigation Laws; because of its capacity for building ships and rearing seamen, and its consequently growing naval strength; and because of its comparative freedom from negro slavery, and consequent exemption from the necessity of obtaining large supplies from England.[1]

Thus, not for the last time, the sordidness of the commercial interest of the parent country overruled considerations of justice and honor, and placed itself in resolute antagonism to the freedom of Englishmen in America. In the earlier contests between prerogative and liberty, London and New England had been partners ever since New England had a being. The city merchants had sustained the Puritan Parliament in war, and befriended the Puritan colonists in their exile. Sir Josiah Child was one of that class of active and important traders whose

[1] Discourse of Trade, pp. 160 – 163. — It is not without interest, in times when Massachusetts and Virginia are sometimes spoken of as having had, the one a Roundhead, and the other a Cavalier origin, to observe the opinion held of their respective founders by an intelligent writer, a half-century after the emigration. "New England," says Sir Josiah Child (New Discourse, &c., 137, 138), "as every one knows, was originally inhabited, and has since been successively replenished, by a sort of people called Puritans, who could not conform to the ecclesiastical laws of England, but, being wearied with church censures and persecutions, were forced to quit their fathers' land, to find out new habitations, as many of them did, in Germany and Holland, as well as at New England. . . . . Virginia and Barbadoes were first peopled by a sort of loose, vagrant people, vicious, and destitute of means to live at home (being either unfit for labor, or such as could find none to employ themselves about, or had so misbehaved themselves by whoring, thieving, or other debauchery, that none would set them on work, which merchants and masters of ships, by their agents, or spirits, as they were called, gathered up about the streets of London, and other places, clothed, and transported, to be employed upon plantations); and these, I say, were such as, had there been no English foreign plantations in the world, could probably never have lived at home to do service to their country, but must have come to be hanged, or starved, or died untimely of some of those miserable diseases that proceed from want and vice; or else have sold themselves for soldiers, to be knocked on the head, or starved, in the quarrels of our neighbors, as many thousands of brave Englishmen were in the Low Countries, as also in the wars of Germany, France, and Sweden, &c.; or else, if they could, by begging, or otherwise, arrive to the stocks of 2*s.* and 6*d.* to waft them over to Holland, become servants to the Dutch, who refuse none."

stubborn character and whose heavy purse had for fifty years prolonged the doubtful conflict.[1] But now that class of men seemed to themselves to perceive that the immunities of New England diminished the profits of English trade, and straightway they became the champions of the court against their old friends. Bitter must it have been to the patriots of Massachusetts to see such brave promises abandoned, and old associates in so august a cause estranged, under influences so unworthy.

In the heyday of the rule of the Cabal ministry, a revenue law for the colonies had been passed, as a trifling relief to the King's burdened exchequer. 1673. February. It enacted that duties should be paid in the plantations of England on certain commodities conveyed from one plantation to another;[2] that the Lords of the Treasury should take care that collectors of such duties, to reside in the colonies, should be appointed by the Commissioners of the Customs; and that the proceeds should be paid into the British exchequer. A further step in the way of commercial restriction was taken when an Order in Council cancelled an order made 1674. May 8. thirteen years before, by which vessels from New England were permitted to carry cargoes to Continental ports and bring the proceeds of their sale to England.[3] A doubt arose whether cargoes on which duties had been paid in a plantation might not lawfully be carried to other than English ports. The question was

[1] I do not know that Child was a Non-conformist, though I infer it from indications in his book (see pp. 69, 108, 142). At any rate, he was a friend of religious liberty.

[2] "The first Act which imposed customs on the colonies alone, to be regularly collected by colonial revenue officers." (Chalmers, Political Annals, 318.)

[3] Journal of the Privy Council. See above, Vol. II. p. 445, note 1. — "I hear the King is offended that some of your ships take in their lading from Virginia, and go to France and defraud his customs, as also from other plantations." (John Collins to Governor Leverett, London, April 10, 1674, in Hutch. Coll. 444.)

submitted to the Attorney-General, Sir William Jones, who gave his opinion in the negative.[1]

Consultations and projects of the Lords of the Committee. 1675. March 12.

The schemes against Massachusetts began to take form in England when the "Lords of the Committee of Trade and Plantations" resolved to pray the King to send five Commissioners to that Colony to endeavor to arrange its affairs conformably to the views of the court. "In case they [the Colonists] should decline his Majesty's overtures, and appear refractory," the Lords judged "that his Majesty should take the advantage of the law against them, and they must expect to find all the stop and interruption upon their trade, which by the Acts of Navigation might be given therein." They directed an application to be made to the Lord Treasurer for information from the Commissioners of the Customs, as to "how far the Acts of Trade and Navigation took cognizance of New England; what violations thereof they had observed in the manner of that trade; what ill consequences in point of profit to his Majesty and his kingdom such abuse of those people might be estimated at; and what rules they thought proper, to remedy such inconveniences." At the same time the Lords of the Committee directed an examination, by the Attorney-General and the Solicitor-General, of the claims presented in the recent petitions of Mason and Gorges.[2]

May.

To the inquiries submitted to them the Commissioners of Customs replied, — 1. That "New England, being one of the plantations under his Majesty's

[1] The document is in Chalmers's Annals, 323; comp. letters of Robert Thomson to Governor Leverett, in Hutch. Coll., 463, 470.

[2] Colonial Papers, &c. — "They have thoughts of sending a Commissioner, and it was determined to do it with some force; but their more weighty affairs and want of money will hardly admit this, I suppose, this summer." (Letter of John Collins to Governor Leverett, August 19, in Hutch. Coll., 472.) Mason and Gorges had renewed their petition in the month of January before this order. (Colonial Papers, &c., for April 22, 1675; Journals of the Privy Council for January 13 and December 22, 1675.)

government, was equally subject with the rest to those laws which related to the plantation trade"; 2. That, before the Navigation Act of Charles the Second, several of the commodities therein enumerated were carried to New England, and thence exported to foreign parts, but that since the enactment of that law, and the appointment of officers to enforce it, the Commissioners hoped that the irregularity was to a great extent checked; 3. That it was said that articles, manufactured in Continental Europe, were carried direct to New England; and 4. That the remedy for breaches of the Navigation Laws was to be found in requiring oaths from Governors of plantations, exacting bonds from shippers, and making seizures of property illegally transported."[1] The Attorney-General and the Solicitor-General reported that Mason had "a good and legal title to the lands conveyed [to his grandfather by the Council for New England] by the name of the Province of New Hampshire"; and that Gorges had "a good title to the Province of Maine."[2] May 17.

Matters now approached a crisis. The Lords of the Committee presented to the King in Council the fruit of their deliberations on the claims of Mason and Gorges. "When we seriously considered," said they, "the point of sending Commissioners, and how far your Majesty's authority might be therein also concerned, we thought it not so expedient (the charge also considered) to embark your Majesty in a matter of doubtful consequence; nor do we think it proper (how fair soever the proofs of the petitioners' titles and sufferings appear) to advise your Majesty to determine anything *ex parte*, and without hearing what the Boston- December 20.

1 Colonial Papers, &c.; comp. Chalmers, Annals, 262.

2 Colonial Papers, &c., May 17, 1675. The patents of Mason specified in the Report are those of March 9, 1622, November 7, 1629, and April 22, 1635. See above, Vol. I. pp. 397, note, 401.

ers can say, who have not had any agents appearing for them to make answer in their behalf." They therefore advised that copies of the claimants' petitions should be sent to Massachusetts, and that the people of that Colony should be required within a specified time to send over agents, "sufficiently empowered to answer for them, and to receive his Majesty's determination in the matter depending for judgment before him." The recommendation was adopted by the Privy Council, and the time allowed for agents to appear was fixed at six months.[1]

Thus empowered, the Lords of the Committee proceeded with their arrangements. "As to the circular letters for New England," they judged that "there ought to be prepared such a draft as was probable those people would bear." "It being moved that, in the letter now to be sent to New England, ... there ought some mention to be made of a great neglect of those people of Boston, who never answered his Majesty's letter of April, 1666, which in part related to this very business, and that it would seem as if there were no memory of anything that was past if the letter were silent therein, it was resolved that some few lines be prepared to that effect, with

1676. January 21.

1 Journals of the Privy Council. — The Lords had had under consideration the expediency of repeating Lord Clarendon's experiment of a Commission, but saw reasons for not hazarding it, at least immediately. December 2, 1675, they concluded that that course "would, besides the great charge, uncertainty of success, and danger of receiving some affront, look like awarding execution before they were heard; and that therefore it was much more advisable that his Majesty should send the state of the complaints unto them, and require their sending Commissioners to agree the difference, by which his Majesty would see the state of their obedience towards him; and, if they refused, then his Majesty had a clearer prospect how he ought to proceed with them, and this now was the fit season for that experiment, while our neighbors were busy, who at another time may be ready and industrious enough to incite them." (Colonial Papers, &c.) The Dutch "neighbors," who might be disposed to incite New England to resistance, were now very "busy" with their war with France.

such a turn, by laying the want of earlier notice thereof partly on the public impediments of war, and partly on the neglect of prosecution in the parties concerned [Gorges and Mason], as may reprehend the fault in them, and not draw part thereof on ourselves." "In the circular letters to New England, the Governors were to be required to send home exact maps of their Colonies." "Their Lordships did not suppose that to consider New England so as to bring them under taxes or impositions, or to send thither a Governor to raise a fortune from them, could be of any use or service to his Majesty." Still further scruples arose, for it was apprehended that a contest with New England might involve unknown difficulties. "Their Lordships entered into a long debate whether this particular time were proper for the sending of circular letters into New England." But on a comparison of opinions they took heart again, and "did agree that this was the conjuncture to do something effectual for the better regulation of that government, or else all hopes of it might be hereafter lost."[1]

January 28.

February 4.

March 20.

The "conjuncture" was manifestly a favorable one. The Dutch, who might have encouraged the Colonies to resist, were no longer enemies to England, and they had their hands full with their desperate war with France. Still more, the Colonists were disabled by their struggle with the Indians, which was now at its most critical point. The movement against them was promptly followed up. It was resolved to transmit the King's demands by a special messenger, who should be also charged with the duty of making minute inquiries into the condition of the country, and reporting the result to the home government. This

[1] Journal of the "Committee for Trade and Plantations" in "Colonial Papers" in the British State-Paper Office.

arrangement brings to view for the first time a person who for the next fifteen years makes a conspicuous figure in the history of New England. The agent selected to do the royal errand was Edward Randolph, of whose earlier life and position nothing is known, except that he was a relation of Robert Mason.[1] It was perhaps through Mason's interest that he was invested with this important trust. He soon proved himself so capable and active, and so devoted to the purposes of the court, that the court valued him for his own sake.

Mission of Edward Randolph. March 30. June 10.

Randolph sailed immediately for Boston, where, "after a tedious passage of ten weeks," he arrived to find the attention of the government occupied with the Indian war.[2] He waited on Governor Leverett, announced "the cause of his coming," and desired "that, with what convenient speed might be, the Magistrates might be assembled to hear his Majesty's letter read." The Governor replied, that he could present himself to the Magistrates on the afternoon of the same day, as they were then to meet on other business. At the time appointed he was "admitted into the Council," where he found the Governor with the Secretary and six other Magistrates. He handed the King's letter to the Governor,[3] who desired him to be seated. The Governor broke the seal, and reading the words, "By his Majesty's command, Henry Coven-

1 "My cousin, Mason." (Letter of Randolph to John Povey, Clerk of the Privy Council, in Hutch. Coll., 564.) — I took great pains, while in England, to learn something of the *antecedents* of Randolph, but without success. I have met with some hint, which I cannot now recall, leading me to conjecture that he had been an underling in the office of Williamson, Secretary of State. In a letter to Lord Clarendon, (Ibid., 534,) Randolph calls the Duke of York his "gracious master," from which expression one may infer that he had held some post about the Duke.

2 See above, p. 197.

3 I have not been able to find this letter. I conjecture that it was among the papers borrowed by Governor Hutchinson from the Commonwealth's archives, and that it was destroyed when his house was sacked by the mob in 1765. There is no doubt, however, about its purport.

try,"[1] asked Randolph who Coventry might be, and was informed that he was the King's principal Secretary of State. Leverett then read the letter aloud. In it the King acquainted the Magistrates with the representations that had been made to him in memorials of Gorges and Mason, of which he transmitted copies. That of Mason set forth at large the "wrongs and usurpations of the Massachusetts," and "how small the respect had been wherewith these people had treated his Majesty since his happy restoration, and what daily breaches were by them made upon his Majesty's Acts." The King said that he had accordingly determined to require the Colony to send agents to answer to these charges; and he commanded that Randolph should be admitted to the Council of the Magistrates to hear his letter read, and that he should bring back their answer.[2] During the reading, three of the Magistrates, following Randolph's example, "put off their hats and sat uncovered; but the Governor with the rest continued to keep their hats on." The reading being finished, "the Governor told the Council that the matters therein contained were very inconsiderable things, and easily answered, and it did in no way concern that government to take any notice thereof." Randolph said that he had the King's orders to require an answer, and to wait for it one month. "The Governor answered, that they should consider of those things," and the envoy withdrew.

While the Magistrates "considered," Randolph bestirred himself in endeavors to stimulate a local faction. He delivered letters with which he had been furnished by Mason to "several of the most eminent inhabitants of Boston," who, he reported, "received

Proceedings in Massachusetts.

[1] July 18, 1672, Coventry succeeded Trevor as a Secretary of State. Trevor had succeeded Morrice, December 9, 1668.

[2] Colonial Papers, &c., March 10, 1676.

him with much kindness, expressed great loyalty to his Majesty," and accommodated him by circulating information concerning his errand, which gave "great pleasure and satisfaction" to the King's well-wishers. Meanwhile he was embarrassed, on his own part, by "a report, which seemed artificially raised to amuse and distract the people, about domestic troubles in England."[1]

The Magistrates, after two days' consideration, resolved to return their thanks to the King for his "gracious letter," and to send a further answer to it by a vessel about to sail for London. They called in Randolph, and told him that, if he proposed to take passage in that vessel, they would entrust to him the letter which they had prepared[2] to one of the Secretaries of State;[3] otherwise, he could have a duplicate of it whenever he should be ready to depart. He said that he "had other matters of concern under his charge, and should not return so soon; and withal asked them if they had well considered of his Majesty's letter and the enclosed petition in so short a time, and concluded on their agents, and the time of their going for England." The Governor, without answering the question, inquired whether he "had anything further to offer them" from the King. Randolph replied that he had nothing further; and the Governor said only "that he looked upon him as Mr. Mason's agent," and then bowed him out of the council-chamber.

June 15.

The next day Randolph went to visit the Governor

1 See above, p. 23.

2 The letter, which is very brief, is in Mass. Arch., III. 15. It informs the Secretary that, in order to the preparation of a proper reply to the royal message, it will be necessary to convene a General Court, which cannot be done immediately on account of "the heavy pressure of the Indian war, together with an epidemical sickness." It pronounces the complaints that had been made against the Colony to be "impertinences, mistakes, and falsehoods, the proof whereof," say the Magistrates, "we doubt not to make out in our more particular answer."

3 Coventry's colleague, as Secretary of State, was now Sir Joseph Williamson, who had succeeded his master, Bennett (Lord Arlington), May 11, 1674.

at his house, and formally complained of the infractions which he had already observed of the Acts of Navigation. He had seen "several ships that were arrived at Boston, some since his being there, from Spain, France, Straits, Canaries, and other parts of Europe." The Governor's reply must be given in Randolph's own words. He may not have expressed himself with quite the freedom that is represented; but it is probable that the reporter did not greatly misunderstand or misstate his language. "He freely declared to me," Randolph wrote, "that the laws made by your Majesty and your Parliament obligeth them in nothing but what consists with the interest of that Colony; that the legislative power is and abides in them solely to act and make laws by virtue of a charter from your Majesty's royal father; and that all matters in difference are to be concluded by their final determination, without any appeal to your Majesty; and that your Majesty ought not to retrench their liberties, but may enlarge them if your Majesty please; and said your Majesty had confirmed their charter and all their privileges by your Majesty's letter of the 28th of June, 1662, and that your Majesty could do no less in reason than let them enjoy their liberties and trade, they having, upon their own charge, and without any contribution from the crown, made so large plantation in the wilderness."

At the end of the second week of his stay in Boston, Randolph wrote to the Governor, reminding him of the King's demand for agents to be sent to England, and advising him to call a General Court to settle that business. He proposed to wait a fortnight longer for the decision of the Court, and to be the bearer of their reply to the King.[1] To this the Governor answered, rebuking him for the disrespect- June 23. June 26.

[1] Mass. Arch., CVI. 212.

ful abruptness of his behavior, and repeating that, when he was ready to go back to England, he might have a duplicate of the letter which the Council had already despatched.[1]

Randolph next turned his attention to "New Hampshire," as he called it, comprehending under that name the country between the Naumkeag and the Piscataqua, according to the largest interpretation of his friend's patent. He "travelled through several of the most considerable towns," and, announcing his business, was received — so he reported — with a cordial welcome. He found "the whole country complaining of the oppression and usurpation of the Magistrates of Boston." At Portsmouth, "several of the principal inhabitants of the Province of Maine, belonging unto Mr Gorges, ... came unto him, making the same complaints with those of New Hampshire." At Boston, on his return to that place, an invitation to Plymouth awaited him from Governor Winslow. With Winslow, whom he found "a gentleman of loyal principles," he had gratifying converse. The Governor "expressed his great dislike of the carriage of the Magistrates of Boston to his Majesty's royal person and his subjects under their government," and went so far as to "say that New England could never be secure, flourish, nor be serviceable to his Majesty, until the several colonies and plantations were reduced under his Majesty's immediate government"; an arrangement to which he assured his new friend "that the Colonies of New Plymouth and Connecticut would readily and willingly submit."

Randolph in New Hampshire. July.

Randolph at Plymouth.

During his stay in New England, Randolph satisfied himself, not only of the promising state of sentiment in the smaller Colonies, but that, even "at Boston, the prin-

[1] Mass. Arch., CVI. 316.

cipal inhabitants, some whereof were the chief officers of the militia, and the generality of the people, complained of the arbitrary government and oppression of their Magistrates, and did hope his Majesty would be pleased to free them from this bondage by establishing his own royal authority among them, and govern them according to his Majesty's laws."

The time that Randolph had been ordered to wait for an answer from Massachusetts having expired, he "went to the Governor for his despatches." July 20. That impracticable magistrate "entertained him with a sharp reproof for publishing the substance of his errand into those parts, ... telling him that he designed to make a mutiny and disturbance in the country, and to withdraw the people from their obedience to the magistracy of that Colony and the authority thereof." The emissary received a duplicate of the letter which had been sent a month before to Secretary Coventry; and, having been desired to assure the King that the English in Massachusetts "were a people truly fearing the Lord, and very obedient to his Majesty," he, in a discourteous letter,[1] took his leave for the present,[2] and soon afterwards sailed for England.[3] His return to England.

Meanwhile the enemies of Massachusetts were not idle on the other side of the water. The Lords of the Committee took up a "petition lately presented to his Majesty by the mercers and silk-weavers of London," who represented that they had been accustomed to send to New England "very great quan- State of the question there. April 6.

1 Randolph's letter of July 6, in Mass. Arch., CVI. 213.

2 This account of Randolph's first visit to New England is abridged from his "Short Narrative touching the Delivery of your Majesty's Letters to the Magistrates of Boston in N. E., September 20, 1676," in Hutch. Coll., 503–511. In a letter to Secretary Coventry of June 17 (in Colonial Papers, &c.), he had reported his transactions in Boston during the first week.

3 He embarked for his return July 30. ("Narrative of my Proceedings and Several Voyages to and from New England," in Mass. Arch., CXXVII. 220.)

tities of the silks or stuffs made in England, or imported from beyond seas, when out of fashion"; but that since "New England, contrary to the law, had taken upon them to enrich themselves" by foreign importations, the petitioners were "many of them totally ruined."[1] The merchants and weavers thought it no more than reasonable that the Colonists should be compelled to relieve them of their unsalable goods. Investigations as to the actual state of the colonial trade were set on foot.

April 24. "Several merchants who traded to New England ..... were called in one by one. Some were shy to unfold the mystery thereof. Others pretended ignorance."[2] But others still gave information to the effect that "all sorts of goods growing on his Majesty's other plantations were brought to New England on payment of the duties payable by the Act for going from one plantation to another"; that "they went with those goods, and many times with lading of Campeachy wood, which they ventured to fetch from the place to other parts of Europe"; that "in exchange for these goods they laded what each country did afford (and that even now there were two or three vessels lading in Holland), and so sailed back with all to New England, without even calling at Old England, but when they thought fit; ..... which, if not prevented, would quite destroy the trade of England there, and leave no sort of dependence in that place from hence." The conclusion was, that the Commissioners, though they "thought it not convenient to ravel into any of the miscarriages passed," resolved to advise the King, — 1. To exact from every plantation an act to enforce the laws of trade; 2. To appoint revenue officers in the plantations, "and in case

1 Colonial Papers, &c.

2 In the Colonial Papers of this date is a list of merchants, "all to be found at the Exchange, upon the New England walk," who were prepared to prove breaches in New England of the Navigation Laws.

of refusal in them to admit such officers, that the rest of the plantations should be forbid to allow them any liberty or intercourse of trade"; and 3. To issue orders to commanders in his Majesty's navy to seize offending vessels.[1]

When Randolph was gone from Massachusetts, and there had been time for the people to bethink themselves, it was fit that the Governor should move. The old soldier of Cromwell understood when forcible action would be rash, as well as when it would be effective. No man was less ignorant of the policy of argument and delay. He convoked a General Court, and told them that the occasion of their being summoned was "the receipt of a letter from his Majesty, &c." The Court chose to consider the pending agitation as arising simply out of "the complaints of Mr. Gorges and Mr. Mason about the extent of the patent line"; and, "being acquainted that many of the reverend elders were in town, they agreed and sent the marshal to them, to say that they desired their presence and advice" upon the question, "whether the most expedient way of making answer to the complaints ..... were by sending agents or attorneys to answer the same, or to answer by writing only." The elders deliberated, and gave their advice that, for several reasons, one of which was to avoid an appearance of "contempt of his Majesty's commands," the "expedient way" was to appoint "agents to appear and make answer by way of information at this time and in this case; provided they were with utmost care and caution qualified as to their instructions, by and according unto which they might negotiate that affair with safety unto the country, and with all duty and loyalty unto his Majesty in the preservation of the patent liberties." The advice does not appear to

Proceedings of Massachusetts. August 9.

[1] Colonial Papers, &c.

have been approved, or it was thought best to take more time for consideration and for reconciling opinions; for a committee, consisting of the Magistrates Bradstreet, Stoughton, the young Joseph Dudley, and the Secretary, Rawson, with five Deputies, was directed to "draw up an address to his Majesty," with "a letter and instructions to some meet person in England," who should "deliver the same to his Majesty accordingly, and appear and make answer by way of information, as the case might require." The Court proceeded to despatch various affairs of common business, and then adjourned for a month.[1]

September 6. At the next session, the committee presented their draft of an "humble petition and address of the Governor and Company of the Massachusetts Bay in New England, in General Court assembled, to the King's most excellent Majesty." It began with a brief reference to the distresses which the Colony had suffered in its war with the natives, and to the victory which had recently crowned its arms. A prospect had opened, the memorialists said, of "calmness and composedness" in their public affairs, when the war broke out afresh in the Eastern country,[2] and at the same time a groundless and vexatious controversy was thrust upon them respecting the rightfulness of their authority over those Eastern settlements of the King's subjects which they were straining every nerve to protect. They were, however, "most willing, in observance of his Majesty's commands, ... to offer their pleas and produce their evidences in this matter"; evidences which they esteemed to be "such as would abundantly clear up their right to those Eastern parts to be undoubted, according to the plain intent and necessary sense of the words of their patent, and sufficiently make it appear

[1] Mass. Rec., V. 98–101.

[2] See above, p. 212.

that their administrations of government there had been noways derogatory to his Majesty's honor, nor prejudicial to his royal interest in this wilderness, but many ways beneficial, as also satisfactory to the inhabitants, his Majesty's subjects, upon that place." They protested that "no intention of wrong to the claimers, no unlawful design of enlargement of their borders, no profit or advantage thereby accruing (the contrary whereto they had hitherto found), but a grounded apprehension of their interest, real compassion to the petitioning inhabitants in an unsettled and suffering condition, together with a sense of duty incumbent to be faithful to their patent trust, did cause them to receive those inhabitants under the wing of his Majesty's government in this Colony established. The further management of their defence" they had intrusted to two agents, "for whom, as for themselves, with most humble prostration, they begged his Majesty's countenance and favor."[1]

The form of address was adopted, and Mr. William Stoughton and Mr. Peter Bulkely were appointed to present it.[2] Stoughton, a rich bachelor, now about forty-five years old, was son of the stern and sometimes factious soldier of the Pequod war.[3] He had been educated for the ministry, but had never assumed a cure, and had now been in the magistracy five or six years. Bulkely was son of the able and generous-minded minister of Concord. Though ten years younger than his associate in the agency, he was Speaker of the House of Deputies. In the parties which in these dangerous times had begun to take their elementary shape in Massachusetts, Stoughton, enforced by his arbitrary temperament and influenced by the instincts of wealth, was understood to be indulgent to

Stoughton and Bulkely sent to England.

[1] Mass. Rec., V. 106–108.

[2] Mass. Arch., III. 318–321.

[3] See above, Vol. I. p. 469.

the pretensions of the court; while Bulkely, sustaining more popular relations, was then believed — though the expectations entertained of him were not ultimately realized — to be devoted to the local traditions, and to be disposed to stand firm for the integrity of the Charter. It was probably thought prudent that both styles of thought should be represented in the agency in England, and that the facility of Stoughton should conciliate and qualify, while the sagacity and firmness of Bulkely should watch and protect. But if such was the calculation, the result did not justify it. Bulkely acted no independent part while engaged in this service; and, in later times, he made himself discreditably conspicuous as a prerogative man.

The case of the Colony against the claimants was argued in a paper, intrusted to the agents for delivery to the King. It bore the title of "A brief Declaration of the right and claim of the Governor and Company of the Massachusetts Bay in New England to the lands now in their possession, but pretended to by Mr. Gorges and Mr. Mason." After a short account of the transactions relating to the Eastern country of Massachusetts, as they have been detailed in this work, the memorialists proceeded at length to prove their right by patent, and to show how satisfactory and beneficial the exercise of their government in the disputed territory had been to the inhabitants, and how advantageous for the King.[1]

The agents were also furnished with letters to the two Secretaries of State,[2] and with two sets of "Orders and Instructions." In one of these latter papers, they were directed to inform the King that they were sent "to give his Majesty satisfaction concerning the rights of the patent, ... in answer to

September 16.

[1] Mass. Rec., V. 108–113. [2] Ibid., 118–120.

the pretensions and accusations of Mr. Gorges and Mr. Mason." They were to confine themselves to this service; and "to all other clamors and accusations" they were to answer that they had "no order nor instruction." If occasion should arise, they were "then humbly to crave his Majesty's favor for time for a further answer from hence." They were to send home reports of their doings by every conveyance, and to come back as soon as possible.[1]

The other set of instructions was for the most part the same, but it also contained some confidential matter. The agents were to advise with the Earl of Anglesey, and other friends of the Colony in England. They were to "represent to the King and Council the inconsiderableness and small worth of those Eastern parts"; but "notwithstanding, if they found a sum of money would take them [Gorges and Mason] off from further prosecution of their pretensions, ... and that that might be a final issue, they should engage in that way as their discretion should direct."[2]

Randolph, who was already in England again before these arrangements were completed,[3] lost no time in making a report of what he had done and had seen. It

[1] "In case an answer be demanded of you to the memorial of the Dutch ambassador presented to his Majesty, a full answer shall be given by the next passage." (Mass. Rec., V. 114.) This clause is explained by a minute in the Journal of the Privy Council of February 11, 1676, from which it appears that the States-General complained that an officer of theirs, having "made himself master of the forts of Penobscot and St. John's, belonging to the French, ... the English of Boston did by force of arms attack the men left in garrison in the said places, made them prisoners, and razed the fortifications." The King thereupon had "required the Magistrates of Boston to return their answer"; but it seems this had not been done. Comp. Mass. Rec., V. 118.

[2] Mass. Rec., V. 113 – 116. I am a little uncertain, however, whether the latter set of instructions is not to be considered as the original draft, and the other as an amended form finally adopted.

[3] He landed at Dover, September 10. ("Short Narrative of my Proceedings and Several Voyages to and from New England," &c., in Mass. Arch., CXXVII. 220.)

Randolph's description of New England. September 20. October 12.

was embraced in two papers. One of them was that account of his proceedings which has been already described. The other was entitled "An Answer to several Heads of Inquiry concerning the Present State of New England."[1] It relates almost entirely to the Colony "commonly called the corporation of Boston," which, says the writer, "at the present gives laws to a great part of this country."

A description of Massachusetts as it appeared to a capable observer at this period has strong attraction for the reader. But Randolph's representations must be received with great caution. He had been in the country only two months. The persons most competent to afford him information gave him none of their confidence. And above all, he was an unscrupulous man, and he had motives for exaggerating in the most important particulars. It was for his interest to make statements which, on the one hand, would provoke the King's displeasure, and, on the other hand, would make it appear that Massachusetts could yield spoils worth the attention of the royal advisers.

The frame and administration of the colonial government he described for the most part with sufficient correctness.[2] The coining of money he represented "as a mark of sovereignty," and he inaccurately declared the date borne upon the pieces to be designed to indicate "the era of the Commonwealth, wherein they erected themselves into a free state, enlarged their dominions, subjected the adjacent Colonies under their obedience, and summoned Deputies to sit in the General Court." He reported that the Magistrates, in their judicial func-

[1] For this important paper see Hutch. Coll., 477 *et seq.*

[2] "No person," he says, "being an attorney, is to be chosen a Deputy." (See above, p. 41.) Whenever it was that this ceased to be law, it continued to be practice nearly down to the War of Independence in the last century.

tion, "more regarded the quality and affection of the persons to their government, than the nature of their offence. They saw no evil in a church-member, and therefore it was very difficult to get any sentence or verdict against him, though in the smallest matters." It was "accounted a breach of their privileges and a betraying of the liberties of their commonwealth to urge the observation of the laws of England or his Majesty's commands."

Among local laws which he specified as "most derogatory and contradictory to those of England," were the laws which forbade the observance of "Christmas day, or the like festivity"; the solemnization of marriage by any person but a Magistrate; and the impressing of men "to serve in any wars but should be enterprised by that Commonwealth." They had a law, he said, that "all strangers professing the true Christian religion that should fly to them for succor from the tyranny or oppression of their persecutors, or for any necessary or compulsory cause, should be entertained and protected among them according to that power and prudence God should give them. By which law Whalley and Goffe and other traitors were kindly received and entertained."

"The number," he declared, "of the church-members and freemen, compared with the rest of the inhabitants (who are termed the dissenting party), is very inconsiderable, not being reckoned above one sixth part; the most wealthy persons of all professions being men of good principles and well affected to his Majesty. . . . . The inhabitants within the government, including Hampshire and Maine, are computed to be upwards of one hundred and fifty thousand souls. . . . . There are rich men of all callings and professions, and all mechanical arts and professions thrive well. The farmers are numerous and wealthy, live in good houses, are given to hospitality,

and make good advantage of their corn, cattle, poultry butter, and cheese. There are about thirty merchants that are esteemed worth from ten to twenty thousand pounds. . . . . There are no servants but upon hired wages, except some few, who serve four years for the charge of being transported thither by their masters, and not above two hundred slaves in the Colony, and those were brought from Guinea and Madagascar.

"There are men able to bear arms between thirty and forty thousand, and in the town of Boston about four thousand. . . . . Their trained bands are twelve troops of horse, and six thousand foot; each troop, consisting of sixty horse besides officers, are all well mounted and completely armed with back, breast, head-piece, buff coat, sword, carbine, and pistols, each troop distinguished by their coats. The foot also are well furnished with swords, muskets, and bandoleers. There are no pikemen, they being of no use in the wars with the Indians. . . . . The Governor, Mr. Leverett, is the only old soldier in the Colony; he served in the late rebellion, under the usurper, Oliver Cromwell, as a captain of horse. . . . . Three miles from Boston, upon a small island,[1] there is a castle of stone, lately built and in good repair, with four bastions, and mounted with thirty-eight guns, sixteen whole culverin, commodiously seated upon a rising ground sixty paces from the water-side, under which, at high-water mark, is a stone battery of six guns. . . . . There is a small brick fort lately made at the south end of Boston, with two tier of guns, six in each.[2] . . . . . One platform on the north side of the town,[3] commanding the river to Charlestown, made of loose stones and turf, is mounted with five demi-culverin, and two small guns. . . . . There are in the public stores commonly a thousand barrels of powder, with other ammunition and arms propor-

[1] The site of the present Fort Independence.

[2] Fort Hill.

[3] Copps Hill.

tionable. . . . . At Dorchester, seven miles from Boston, is a powder-mill in good repair, well wrought. There is in the country great quantities of saltpetre, especially upon islands where fowl frequent, and in swamps where pigeons roost. The powder is as good and strong as the best English powder. . . . . There is great plenty of iron-ore, and as good iron made as any in Spain. There are six forges for making of iron in that Colony. The town of Boston . . . . . contains about two thousand houses, most built with timber and covered with shingles of cedar, as are most of the houses in the country; some few are brick buildings and covered with tiles."

After some paragraphs of calumny respecting the relations of Massachusetts to the Eastern settlements, to the French in Nova Scotia, and to the Duke's Province of New York, and respecting the causes and conduct of the recent war with the natives, Randolph proceeded to give an account of the economical resources and employments of the country. "The commodities," he wrote, "of the production, growth, and manufacture of New England are all things necessary for shipping and naval furniture in great abundance, as excellent oak, elm, beech, fir, pine for masts the best in the world, pitch, tar, hemp, and iron not inferior to that of Bilbao, clapboards, pipe-staves, planks, and deal boards, so that his Majesty need not be beholding to other nations for naval stores. It abounds with horses, beeves, sheep, hogs, and goats, with mighty numbers of wild beasts, as beaver, otter, moose, deer, stags, foxes, musquash, and several other sorts, whose skins produce great profit yearly. Also, great plenty of wheat, rye, barley, oats, and pease, fruits of most kinds, especially apples, whereof they make great quantities of excellent cider. Fish of all sorts, especially cod, mackerel, and herring, which are very large and fat. These are the staple commodities, and are exported." Provisions were carried to Virginia, Jamaica, and Maryland;

provisions, horses, boards, pipe-staves, and houses ready framed, to Barbadoes, Nevis, St. Christopher, and other islands; "to Spain, Portugal, and the Straits, Madeiras, and Canary Islands, fish and timber, pipe-staves, and deal-boards; to England, masts and yards for ships, fir and oak planks, with all sorts of peltry."

The Massachusetts people imported the products of other Colonies, both for home consumption and for transport "to other parts." They had commerce with "most parts of Europe, as England, Scotland, Ireland, Spain, France, Portugal, Holland, Canaries, and the Hanse Towns, carrying to each place such commodities as were vendible, either of their own growth and manufacture or those of the other plantations, and making their returns in such goods as were necessary and vendible either in New England, or in any other of his Majesty's dominions in America; as brandy, Canary, Spanish, and French wines, bullion, salt, fruits, oils, silks, laces, linen of all sorts, cloths, serges, bays, kerseys, stockings, and many other commodities." Some vessels had even been "sent to Guinea, Madagascar, and those coasts, and some to Scanderoon, laden with masts and yards for ships." Boston was "the mart town of the West Indies." There was "no notice taken of the Act of Navigation, plantation, or any other laws made in England for the regulation of trade; ..... and in this, as well as in other things, that government would make the world believe they were a free state."

Of vessels "built in and belonging to that jurisdiction," there were no fewer than thirty measuring between a hundred and two hundred and fifty tons, besides seven hundred of smaller size. There were also "several vessels yearly built there, and sold in England and other parts." "Good ships were built for four pounds the ton."

"The public revenue of the Colony" was estimated

at twenty thousand pounds.[1] It was raised by a poll-tax, an excise, a tax on incomes and on lawsuits, a tax on licenses, and customs on imported goods, the last of which imposts, as well as the others, were collected by colonial officers. There was "no custom upon anything exported, except horses, which paid sixpence." There was "a reasonable quantity of silver money in the Colony, but no gold."

As to the disposition of the inhabitants, they were "generally well affected to his Majesty and his government"; they were "groaning under the yoke of the present government, and were in daily hopes and expectations of a change, by his Majesty's reassuming the authority, and settling a general government over the whole country; without which it was feared civil war would in a short time break out between the Colonies, the government of the Massachusetts daily imposing and encroaching upon their neighbors; and therefore the loyal Colonies of New Plymouth, Connecticut, New Hampshire, and Maine . . . . . were very desirous of submitting to a general governor to be established by his Majesty."

Even the government of Massachusetts, Randolph said, were not unanimous. "Among the Magistrates some are good men and well affected to his Majesty, and would be well satisfied to have his Majesty's authority in a better manner established; but the major part are of different principles, having been in the government from the time they formed themselves into a commonwealth. These direct and manage all affairs as they please; of which number are Mr. Leverett, Governor, Mr. Symonds,

[1] Here, says Hutchinson, who in this case is excellent authority, "Randolph has put one cipher more than he should have done. Their annual charges never rose to £ 2,000 before the Indian war. Then indeed they were greatly increased, but not the revenue in any proportion, the Colony being left greatly in debt, which was not paid in several years." (Hutch. Coll., 498, note.)

Deputy-Governor, Mr. Danforth, Mr. Tyng, Major Clarke, and Major Hathorne. . . . . The most popular and well-principled men are Major Denison, Mr. Bradstreet, and Mr. Dudley in the Magistracy, and of military men Major Savage, Captains Curwin, Saltonstall, Brattle, Richards, Gillam, Mosely, Majory, Champernoon, Shapleigh, Phillips, with many others, who only wait for an opportunity to express their duty to his Majesty. . . . . The clergy are for the most part very civil, and inclining to his Majesty's government, being held in subjection by the ruling elders. . . . . The ecclesiastical government is in the hands of lay elders, these being the laws and constitutions."[1]

The inhabitants of Plymouth and Connecticut[2] he found to be "generally very loyal and good people, who did upon all occasions express great love to the

[1] Hutch. Coll., 477 – 501. — "There are three colleges built in Cambridge; one, with timber, at the charge of Mr. Harvard, and bears his name; a small brick building called the Indian College, where some few Indians did study, but now it is a printing-house; New College, built at the public charge, is a fair pile of brick building covered with tiles, by reason of the late Indian war not yet finished. It contains twenty chambers for students, two in a chamber; a large hall, which serves for a chapel; over that a convenient library, with some few books of the ancient fathers and school divines; but, in regard divinity is the general study, there are many English books of the late Non-conformist writers, especially of Mr. Baxter and Dr. Owen. Here they teach Hebrew, before they well understand Latin. No formalities or distinctions of habits, or other decencies, as in England, much less those exhibitions and supports for scholars. They take no degrees above Master of Arts.

"Their Commencement is kept yearly the 2d [week?] of August, in the meeting-house, when the Governor and Magistrates are present, attended with throngs of illiterate elders and church-members, who are entertained with English speeches and verses. Most of the students are come for England; and at present no settled President; but one Mr. Oakes, a rigid Independent, supplies the place. The allowance of the President is 100*l.* per ann., and a good house. There are but four fellowships. The two seniors have each 30*l.* per ann., and the two juniors 15*l.*; but no diet is allowed. These are tutors to all such as are admitted students." (Ibid., 501, 502.)

[2] The reputation of Connecticut ought not to suffer materially from this eulogy of Randolph. It does not appear that he had been within the bounds of the Colony, though he had probably corresponded with some of its chief men.

person and government of his Majesty, and did heartily wish that his Majesty's authority were established over the whole country." In those Colonies not only all magistrates and officers civil and military, but all freemen, took the oath of allegiance, and commissions and writs ran in the King's name. "The number of inhabitants in both Colonies," he wrote, "are computed to be eighty thousand souls. There are no slaves, only hired servants. The chief professions are farmers, graziers, and fishermen; very few merchants, they being supplied with all foreign commodities from Boston. The militia consists of four troops of horse and five regiments of foot, who are well armed and disciplined; no old soldiers among them. The number fit to bear arms, twenty thousand. The country is very fertile and pleasant, and abounds in corn and cattle, and produceth very good horses, the best in all New England, which are sent into several parts. There is great abundance of tar, and excellent good hemp; and there is made good quantity of whale oil, which fish they take upon the coasts. The Act of Navigation is duly observed. No stranger is admitted to come into their ports. They have no ships of burden, but only small ketches and barks, to trade along the coasts and take fish. ..... The losses which these Colonies have sustained by the Indian war is estimated to be near a hundred thousand pounds."[1]

[1] Hutch. Coll., 502, 503. — It is interesting to compare Randolph's account of New England with others of the same period. When he sailed on his errand, he was furnished with a *memorandum* of this kind, which is preserved among the English Colonial Papers. From what sources it was made up does not appear; but it probably represents information to which the government gave credit. It is entitled, "Observations made by the Curious on New England, about the Year 1673." The following are some particulars of it: —

"There are about a hundred and twenty thousand souls, thirteen thousand families, sixteen thousand that can bear arms. There are twelve ships of between 100 and 220 tons; a hundred and ninety do. of between 20 and 100 do.; 440 fisher-boats of about six do. ..... There are fifteen merchants,

By such erroneous and unfriendly representations did the agents of Massachusetts, when, three months after Randolph, they arrived in England, find the minds of the

worth about £ 50,000, or about £ 500 (*sic*) one with another; 500 persons worth £ 3,000 each. No house in New England has above twenty rooms. Not twenty in Boston have ten rooms each. About 1,500 families in Boston. The worst cottages in New England are lofted. No beggars. ..... The three provinces of Boston, Maine, and New Hampshire are three fourths of the whole in wealth and strength. ..... Not above three of their military men have ever been actual soldiers, but many are such soldiers as the artillery-men at London. ..... There are no musicians by trade. A dancing-school was set up, but put down. A fencing-school is allowed. All cordage, sail-cloth, and nets come from England. No cloth made there worth four shillings a yard. No linen above two shillings and sixpence. No alum, nor copperas, nor salt, made by their sun. [A singular fact, if it was so, after all the attention that had been given to salt-making.] They take an oath of fidelity to the Governor, but none to the King. ..... A freeman must be orthodox, above twenty years old, worth about £ 200."

An English frigate was at Boston in 1673, the captain of which made a brief report of his observations. He, too, represented the trade of New England as being "very great to all parts." He had proposed to seize a ship which came in with a cargo from Ostend; "but the Magistrates answered that they were his Majesty's Vice-Admirals on those seas, and would do what seemed good to them." Falling in with some English sailors who had "sheltered themselves in New England during the Dutch war, he applied to have them sent home; but the Magistrates exasperated a mob against him." "The Magistrates of Massachusetts considered themselves as a free state." (Colonial Papers, &c.)

In the same collection is a brief account of New England, by William Harris of Rhode Island. Apparently it was taken down from his lips. The date is April 29, 1675. "They build," he says, "every year, about Boston, Salem, and in that jurisdiction, twelve ships between 40 and 80 tons. ..... The merchants seem to be rich men, and their houses as handsomely furnished as most in London. ..... Their wool they carry to France, and bring thence linen. Fish, pipe-staves, wool, and tobacco, they exchange in Spain and Portugal for wines and other commodities; beaver, moose, and deer skins, sugar and logwood, in England, for cloths and manufactures of iron; horses, beef, pork, butter, cheese, flour, pease, biscuit, &c., in Barbadoes, for sugar and indigo; provisions in Jamaica for pieces of eight, Spanish plate, and pigs of silver. ..... The houses in Boston are of brick, but most of timber; some are three, and the most but two, stories high." Harris supposed there might be in New England seven or eight thousand infantry, and "about eight or ten troops of horse, each of between 60 and 80." The soldiers "exercised often and well; their horsemen wore buff coats, pistols, hangers, and crosslets." Of the ministers, "amongst the first was one Mr. Thacher, the only man in the country that kept a coach." "At the College in Cambridge many preachers, physicians, and Indians were bred, but no lawyers. ..... As to cloth, there

courtiers prepossessed.[1] There was now in the parent country no organized body friendly to New England. The country party was in the ascendant; but with that party, led by Lord Danby, English Puritans were in so little credit, that, far from being able to protect their sympathizers on the other side of the water, they were living in constant dread of being themselves subjected to all the severity of the persecution which was raging against their fellow Non-conformists the Catholics.

The agents presented to the Privy Council a memorial, in which they set forth that, after diligent search "in the Chapel of the Rolls, as in other offices," they had been unable to find a record of the alleged grants to Mason and Gorges. They therefore prayed that an order should issue to those

Proceedings in England against Massachusetts. 1677. January 10.

were made there linsey-woolseys, and other of cotton and wool, and some all sheep's wool, but the better sort of linen was brought from England. They had many wool-combers, and spun their wool very fine, of which some made tammies, but for their own private use."

In connection with Harris's account of the traffic of New England, it is well to note some particulars of the "price of Indian commodities sold by the Christian merchants" in New York, in 1679, as they are given by Charles Wooley in his "Two Years Journal" (33, 35). The price of beaver, Wooley says, was ten shillings and threepence a pound; of minks, five shillings; of gray fox skins, three shillings; of otter, eight shillings; of raccoon, one shilling fivepence. A good bear-skin brought seven shillings; Barbadoes sugar, thirty shillings a hundred; Long Island wheat, four shillings a bushel; tobacco, five halfpence a Dutch pound (eighteen English ounces); pipe staves, from fifty to sixty shillings a thousand; Madeira wine, two shillings a bottle; and cider, twelve shillings a barrel.

[1] According to Hutchinson (Hist., I. 281, note) the agents sailed from Boston, October 30. — Of course, Randolph had returned home in ill-temper, and lost no opportunity to vent it. November 30, when he had seen the reply of Massachusetts to the King's letter (see above, p. 198), a memorial from him to the King was read to the Privy Council. "Knowing," he said, "what they allege for their excuse in not complying with your Majesty's commands to be most shameful pretences and notorious falsehoods." "That government of the Massachusetts hath not suffered so much by the Indians as the other Colonies of New Plymouth and Connecticut." "For doing my duty and pursuing my instructions, I was judged by them to have exceeded my errand, and, in a menacing way, was advised so to demean myself as not to be found either slighting or imposing upon their authority." (Colonial Papers, &c.)

claimants to furnish them with copies of the papers on which they relied. Five months more passed, when, after listening to "a representation from Edward Randolph, employed by his Majesty concerning several matters relating to the state of New England and the government thereof, his Majesty was pleased to order in Council that the said representation be referred to the Right Honorable the Lords Committees of this Board for Trade and Plantations, to consider of the same, and to take the opinion of such of his Majesty's judges as they should think fit concerning such heads of the said representation as related to matters of law."[1] The Lords of the Committee presently came to an important conclusion. They reported to the Council, that, reserving their judgment upon some matters of Randolph's representation, till the law Lords should have pronounced their opinion, they had no hesitation as to advising the King that Massachusetts had broken the laws of Trade and Navigation, and "that the said government should not only receive notice of his Majesty's pleasure that the said Acts be duly executed, but that the Right Honorable the Lord Treasurer should appoint such officers of the customs at Boston and other parts of New England as the said Acts did prescribe, for the better observation thereof."[2]

June 8.

June 12.

The judges (Rainsford, Chief Justice of the Court of King's Bench, and North, Chief Justice of the Court of Common Pleas) were scarcely less prompt. "We," they wrote, "having considered these matters, do humbly conceive . . . . . that the patent of 4th Car. I. is good, notwithstanding the grant made in 18th Jac.; for it ap-

1 Journals of the Privy Council.

2 Colonial Papers, &c. — In June, 1677, on the petition of divers merchants and others, "Mr. John Hayward, the scrivener," was appointed by the General Court of Massachusetts "to take in and convey letters according to direction" (Mass. Rec., V. 148; Mass. Arch., LXXXVIII. 312); — the beginning of a post-office.

peared to us by the recital in the patent 4th Car. I. that the Council of Plymouth had granted away all their interest in the lands the year before, and it must be presumed that they then deserted the government; whereupon it was lawful and necessary for the King to establish a suitable frame of government according to his royal wisdom, which was done by that patent of 4th Car. I. *making the Adventurers a corporation upon the place.*"[1] They gave their judgment, that neither Maine nor New Hampshire was included within the chartered limits of Massachusetts; that the government of Maine belonged to the heir of Sir Ferdinando Gorges; and that the government of New Hampshire had never been granted to John Mason, and was not lawfully vested in his heir. As to rights of soil in these territories, the judges declared themselves not prepared to decide. The judgment was adopted by the Lords of the Committee, and, on their report, was approved by the Privy Council. The Council appointed a day for hearing the parties,[2] and, after the hearing, re-

July 17.

July 18.

1 Colonial Papers, &c. The expression of the Chief Justices in the last clause above quoted is very important. See above, Vol. I. p. 307.

2 Journals of the Privy Council. "When his Majesty expects that they contain themselves within those bounds of modesty and respect that is due to the judges of this kingdom."

The original minutes of proceedings which now followed are in the magnificent manuscript collection of Sir Thomas Phillipps, of Middle Hill, Worcestershire, whose hospitality I enjoyed in 1856. The manuscript is catalogued as No. 8539. — Stoughton (who was probably the spokesman) and Bulkely prefaced their examination before the Council, July 19, by saying that they had no instructions except such as related to the claims of Mason and Gorges, and that as to other matters they must be understood to be speaking only as private persons. The minutes go on to record, —

"That, being demanded whether his late Majesty's judges were protected in New England, they answered that they had seen Goffe and Whalley in those parts, but that, upon his Majesty's proclamation, warrants were issued out against them, and persons commissioned to pursue them; notwithstanding which they made their escape into the neighboring Colonies.

"That, being asked whether the people endeavored to form themselves into a commonwealth, or refused to take the oath of allegiance, they answered that they acknowledged his Majesty to be

July 20. ferred the whole matter back again to their Committee.[1]

July 27. This board, having "debated the business of New England, and the necessity of bringing those people under a more palpable declaration of their obedience to his Majesty and dependence on his crown," and having "agreed to several heads," again summoned the agents, and announced to them, — 1. That, as to jurisdiction, their constituents must henceforward "confine themselves to such bounds and limits as had been lately reported by the judges"; 2. That as to their pretended "propriety of the soil in the Province of Maine," the King would have scrutiny made, but they would do well to retract an intimation "very rashly and inadvertently made by their counsel when they last appeared," of "abandoning the defence of that Province, in case their authority to govern were set by"; 3. That as to their "presuming to coin money, ... they must solicit his Majesty's

their sovereign, and submitted to his authority.

"That they never proclaimed nor acknowledged the late usurping powers, but always conformed themselves to the rules of his Majesty's charter. That they were willing to take the oath of allegiance and supremacy *in terminis*, as is prescribed by their charter.

"That, upon the article where they are charged to have coined money, they confess it, and say they were necessitated to it about the year 1652 for the support of their trade, and have not hitherto discontinued it, as being never excepted against or disallowed by his Majesty, and do therefore submit this matter to his Majesty, and beg pardon if they have offended.

"That, as to putting any persons to death for matters of religion only, they deny it, and say indeed that there being a law that no Quakers, being strangers, should come into their government, some transgressed it notwithstanding banishment, and were therefore executed; and there are many Quakers now living among them.

"That, as to their violation of the Acts of Trade and Navigation, they say that there are perhaps some private persons who trade indirectly by reason they have not understood those Acts; and that the Governor is obliged to take bonds to hinder, and will submit to his Majesty's orders herein.

"That they declare the law against keeping Christmas to have been made in the late troubles; but that to their knowledge it is not put in execution.

"That they confess they collect some small customs upon goods imported, to a very inconsiderable value, for the maintenance of their government."

[1] Journals of the Privy Council.

pardon for the offence that was past"; 4. "That the Act of Navigation . . . . . must for the future be looked after and religiously observed"; 5. "That as to their laws, ... there were great faults observed in some of them, wherein they must expect change and reformation"; 6. That, as to what they had said of their defect of powers, "his Majesty did not think of treating with his own subjects as with foreigners, and to expect the formality of powers," but "to do all things that were fit for them and consistent with his own service," and that it would be well for them "from time to time to intimate the same to their principals." They were then dismissed for a week, after being further informed "that his Majesty would not destroy their charter, but rather, by a supplementary one, to be given to them, set all things right that were now amiss." The Committee "ordered the said charter, or extracts thereof, to be sent to Mr. Attorney and Mr. Solicitor to examine whether the authority of the crown be sufficiently preserved, and their dependence on his Majesty made so necessary as is fit."[1]

At the next discussion of the subject, "Mr. Attorney did, according to order, read a catalogue of those laws, passed by the government of New England, which were repugnant to the laws of this kingdom. The like list was sent in by Mr. Solicitor, with very little alteration; and their Lordships found very much reason to advise his Majesty to write into New England for the abolishing all those laws. And the Attorney did acquaint their Lordships that the agents of New England, with whom he had spoken, were in a manner ashamed of them; only as to that concerning the observation of the Lord's day they seemed somewhat tenacious." The Committee "took notice" that, notwithstanding "his Majesty's letter of 1662, requiring that any who should exer-

August 2.

[1] Minutes of the Lords of the Committee in the Phillipps Collection of Manuscripts; comp. Colonial Papers, &c.

cise their religion according to the Church of England might be free therein, and equally qualified with others for any office, ... yet that the practice had all along been quite otherwise, and as before. And also, complaint being urged touching the principles and discourses of the present Governor, Mr. Leverett, with Mr. Randolph when there, savoring of very little obedience to his Majesty, their Lordships did deliberate upon it as a point importing much to his Majesty's service, that no Governor there to be chosen should be established and confirmed without his Majesty's approbation. Some of the Lords added, that not only his Majesty's approbation, but commission, was requisite; but this was thought at present unseasonable."

The agents were called in again, and told that the King expected a repeal of all laws, in force among their constituents, repugnant to the laws of England; that "the practice touching preferment of church-members ran contrary to the law they had made"; and that "they should receive an officer of the customs, to see the Act of Navigation, in his Majesty's behalf, fully conformed unto." "The agents replied, that, as to the preferring of church-members, they knew no such practice, but, on the contrary, that any kind of freeman was capable of being Governor; that several were freemen who were not church-members; and that it was not the point of opinion in religion, but the number or defect of votes, that preferred one and laid by others, according to their constitution. Their Lordships seemed to acquiesce in this answer." The agents were further rebuked for the "levying of money on the King's subjects, who trafficked with them, over whom they had not the same power as over the members of their own corporation." And they were "directed to attend Mr. Attorney-General" for information respecting his objections to their laws, and respecting "the model of such a pardon as they stood in need

of from his Majesty for their coining of money without authority."[1] Here the business was suspended for the present, except so far as that the agents put in a petition for leave to retain the four New Hampshire towns under the government of Massachusetts.[2] September 6.

The agents sent home information of the plight in which they found themselves. The General Court was in session when their letters arrived. Without a day's delay after the notice of "his Majesty's expectation that the Acts of Trade and Navigation be exactly and punctually observed by this his Majesty's Colony, his pleasure therein not having been before now signified, either by express from his Majesty, or any of his ministers of state," an order was passed requiring all masters of vessels arriving or departing "to yield faithful and constant obedience unto, and observation of, all the said Acts of Navigation and Trade," and instructing the Governor and all inferior magistrates "to see to the strict observation of the said Acts."[3] The Court sent to the agents a letter of approval of their conduct, and with it a petition of the four New Hampshire towns to be permitted to remain under the government of Massachusetts.[4] And they transmitted an address of thanks to the King for his gracious reception of their messengers. With it they sent letters, composed partly of compliment and partly of argument, to the Lord Chancellor (Lord October 10. October 22.

1 Minutes of the Lords of the Committee in the Phillipps MSS.; comp. Colonial Papers, &c.

2 Colonial Papers, &c.

3 Mass. Rec., V. 155. — The letters of the agents were dated August 4. They had made an earlier report to the General Court in June (Ibid., 163); but this had not led to any action. It must have been a relief to Stoughton to hear of the action of the General Court upon the Navigation Laws. On that subject he was thoroughly frightened. December 1, he wrote from London: "More and more every day, we find it most certain that, without a fair compliance in that matter, there can be nothing expected but a total breach, and all the storms of displeasure that may be." (Hutch. Hist., I. 288.)

4 Mass. Rec., V. 161 – 164.

Shaftesbury), the Lord Privy Seal (Lord Anglesey), and Coventry and Williamson, Secretaries of State.[1]

On receiving the petition of the New Hampshire towns, the agents renewed their solicitations to the Privy Council for that arrangement as to the organization of those settlements which was so desired both by the existing local government and by the governed.[2] Mason presently informed the Lords of the Committee that he had been approached with an application, which hitherto he had resisted, to sell his patent to Massachusetts. He at the same time communicated the confounding intelligence that a similar application to Gorges had been successful, and that the bargain had actually been completed.[3] This was true. Massachusetts had outwitted the King. He was intending to buy Maine of Gorges, as an endowment for his favorite though troublesome son, the Duke of Monmouth. But he was not apt to have ready money, and he was not quick enough for the wakeful Colony. Its broker, John Usher, the Boston merchant, had come to London,[4] and paid Gorges the sum of twelve hundred and fifty pounds for his patent;[5] and the Governor and Company of Massachusetts Bay had become, by purchase, lord paramount of Maine.

1678. January 23.

March 25.

1677. May 6.

1 Mass. Rec., V. 157–161.

2 Colonial Papers, &c.

3 Ibid; comp. Mass. Rec., V. 192, 195. The arrangement had been in contemplation by Massachusetts as a *pis aller* for many years. Fifteen years before this time, Daniel Gookin approached Ferdinando Gorges with a proposal to "make some honorable composition with the jurisdiction of Massachusetts for his claim." (Letter of Gookin to Gorges, June 25, 1663, in Folsom's Catalogue of Original Documents, &c., 55.) When the project was renewed in 1674, Leverett was so intent upon it that he offered to be responsible for the money to the amount of five hundred pounds. (Letters of Leverett and Thompson in Hutch. Coll., 449, 467, 470.) In 1674, there was also a project for Massachusetts to buy of the Duke his Province of New York. (Hutch. Coll., 443.)

4 This particular of Usher's having gone to England on the business is an inference from Hutch. Hist., &c., I. 288.

5 The original receipt of Gorges to Usher for the purchase money is in Mass. Arch., III. 332.

This measure boded no favor to the Colony on the part of the Lords of the Committee, when next they should enter on a consideration of its affairs. Randolph goaded them with persevering hate. Andros, who was now in England, was no favorable witness.[1] The Quakers, too, were again in the field. When, in the agony of the Indian war, the General Court of Massachusetts had undertaken to search out the causes of wrath and defection, a mistaken lenity to the Quakers was judged to be

[1] April 8, 1678, the Lords of the Committee made inquiries of Andros respecting New England, the manifest purpose of which was to see how far Massachusetts might be inculpated, and what capacity she had for resistance. (Colonial Papers, &c.) His reply, not expressed in offensive terms, though favoring a centralized and arbitrary government, shows him to have had little knowledge on the matters presented. "I do not find," he said, "but the generality of the magistrates and people are well affected to the King and kingdom; but most, knowing no other government but their own, think it best, and are wedded to, and opiniatre for it. And the Magistrates and others in place, chosen by the people, think that they are obliged to assert and maintain said government all they can, and are church-members, and like so to be chosen and so continued without any considerable alteration and change there, and depend upon the people to justify them in their actings." (Ibid.; comp. O'Callaghan, Documents, &c., III. 262–264.) There had been ill blood between Andros and the Confederate Colonies on account of his treatment of them during Philip's war. When they solicited him to restrain his own Indians from joining in the Indian revolt, he had been rude in his replies (Hough, Narrative of the Causes which led to Philip's Indian War, 136, 142, 146, 159, 164); and the New England people went so far as to charge him with allowing supplies to be furnished to their enemy. (Hutch. Coll., 476.) He complained to the Privy Council that the Massachusetts people "in their declaration of war printed in 1675, and in books of the said war printed since, do declare and asperse all his Majesty's subjects in Albany with having recruited Philip and other their Indian enemies with ammunition"; and he prayed that inquiry be "made of the truth of this matter while the agents of the said Colony are yet here." (O'Callaghan, Documents, &c., III. 258.) The Council accordingly made some inquiry, and (April 24) declared that they "found no ground for the imputation, and ordered the Albanians to be cleared from it." (Journals of the Privy Council.) Andros further complained that Connecticut had set up false claims to territory belonging to New York. (Colonial Papers, &c. See above, pp. 128–131.) In respect to the imputation of having permitted supplies to be furnished to the Indians, he had also shown his strong resentment in a letter (January 24, 1676) to the Magistrates of Massachusetts. (Hutch. Coll., 476; comp. Andros's Short Account of the Assistance rendered by New York to New England, in O'Callaghan, Documents, &c., III. 264–266.)

one of them; and laws were passed making any ship-master who should land them liable to a fine of at least twenty pounds, and forbidding attendance upon their assemblies under the penalty of imprisonment in the house of correction for three days, on a diet of bread and water.[1] This was a great mitigation of the former severity of their treatment; but it served to bring their brethren in England again to the foot of the throne in their behalf.

Under such influences, the Lords of the Committee proceeded with their business. They were stimulated "very much to resent that no more notice was taken in New England of those points which were so fairly and with so much softness intimated to the agents"; and they were "so far from advising his Majesty immediately to grant them a pardon, much less the accession of government in the country claimed by Mr. Mason which they petitioned for, that they were of opinion that this whole matter ought seriously to be considered from the very root. . . . . Some of the Lords inclined to think that nothing but the establishment of a Governor there would accomplish" the desired object of submission to the King's authority, "all agreeing that it must be a Governor wholly to be supported and maintained by his Majesty. . . . . But, forasmuch as to enable their Lordships to advise his Majesty in this great affair, it would first be necessary to know how far his Majesty was at liberty to do herein what his service might require, therefore Mr. Attorney and Mr. Solicitor General were directed to examine and report the grounds of what hath sometime been objected before them: —

1678. April 8.

"1. That the people of Massachusetts Colony have not any legal charter at all.

"2. Next, that, by reason of several irregularities, there was, about the year 1635, a *quo warranto* brought for the dissolution of such charter as they had, the prose-

[1] Mass. Rec., V. 60, 134.

cution whereof went far, and stopped only on account of the public troubles ensuing.

"3. And lastly, supposing that the said charter were originally good, their Lordships desired to know whether the corporation had by maleadministration of the powers, or otherwise, forfeited the same, so as to be at his Majesty's mercy and disposal."[1]

In the preceding autumn the General Court of Massachusetts had made an order "that the law ..... 1677. October 10. requiring all persons, as well inhabitants as strangers, that have not taken it, to take the oath of fidelity to the country, be revived and put in practice throughout the jurisdiction."[2] This proceeding had now come to Randolph's knowledge, and provided him with an effectual topic of complaint. He sent in a memorial averring that the oath had been imposed on persons loyal to the King and therefore disinclined to that engagement, and praying that, by a ship just about to sail, an order might be sent for the protection of loyal men in New England who should refuse to take the oath, or who were friendly to him during his stay in that country, or who had corresponded with him since.[3] "The agents endeavored to explain this law to the Board, and to soften their 1678. April 18. indignation against it, but without effect." The

1 Journal of the Lords of the Committee in the Phillipps MSS.; comp. Chalmers's Political Annals, 441. The Earl of Sunderland was now a Secretary of State. He succeeded Williamson in that office, February 9, 1678. — By the kindness of Mr. Robert Charles Winthrop, I have a copy, belonging to his collection of family papers, of Randolph's "Case of New England," as it was presented in full to the Lords of the Committee, to become the subject of the reference to the law officers of the crown. Its matter is summed up in the words of the reference above quoted. The charge that the charter given by Charles the First to Massachusetts was originally invalid, is presented under nine specifications; and the charge that the charter, if originally good, had been forfeited by maleadministration, is spread out in twenty-four particulars.

2 Mass. Rec., V. 154. It is worth observing, that this order was passed on the same day as the order that directed compliance with the King's wish in respect to the Navigation Laws. See above, p. 311.

3 Colonial Papers, &c.

Board advised the King that the oath prescribed by the Massachusetts people was "derogatory to his Majesty's honor, as well as defective in point of their own duty, inasmuch as their allegiance to his Majesty and their fidelity to the Colony were joined together in the same undecent form, and where such fidelity was made even to precede their obedience to his Majesty"; and they recommended that without delay the King should "strictly inquire and command that the oath of allegiance, as it was in England by law established, ... should be administered and taken by all his subjects in that Colony."[1]

April 24. Their advice was adopted by the King in Council;[2] and, in immediate conformity with a further order,[3]

April 26. the agents from Massachusetts were brought before the Lords of the Committee, "and the oath of allegiance as it is set down in the statute of 3 Jacobi was administered unto them. After which these gentlemen declared that, as they had taken the said oath, so they believed the Magistrates of the Massachusetts Colony, and all the other inhabitants, would most willingly do the like, except only such as refused to take any oath whatsoever."[4]

Next came the all-important report of the crown lawyers (Jones and Winnington) on the legal condition of Massachusetts. They gave their opinion, under three heads, as follows: —

Report of the crown lawyers. May 16.

"1. That, as to the patent of 4 Caroli, whether it were good in point of creation, it was most proper that the opinion of the Lords Chief Justices should be had thereupon.

"2. That neither the *quo warranto* mentioned to be brought against them, nor the judgment thereupon, was such as to cause a dissolution of their charter.

[1] Journal, &c., in the Phillipps MSS.

[2] Journals of the Privy Council. For the King's letter despatched accordingly, see Hutch. Coll., 515.

[3] Journals of the Privy Council.

[4] Journal, &c., in the Phillipps MSS.; comp. Colonial Papers, &c.

"3. That the misdemeanors objected against them do contain sufficient matter to avoid their patent.

"Their Lordships did thereupon order a report to be prepared, reciting all things that were past from the first settlement of New England, the several encroachments and injuries which the Colony of Massachusetts had continually practised upon their neighbors, and their contempts and neglect of his Majesty's commands; and will offer their opinion that a *quo warranto* be brought against their charter, and new laws framed instead of such as were repugnant to the laws of England." And "their Lordships agreed to recommend Mr. Randolph unto the Lord Treasurer for a favorable issue of his pretensions to be employed as Collector of his Majesty's customs in New England, in consideration of his zeal and capacity to serve his Majesty therein."[1]

Randolph made Collector of Customs in New England. May 31.

This nomination of Randolph was reported to the Privy Council by Lord Danby, who at the same time informed them that he "understood by the agents of New England that the people of that place had entertained some prejudice against him. . . . . Whereupon Mr. Randolph, being called in, did assure his Majesty that the generality of that people were loyal and well affected to his Majesty's government; and that it would be much to their contentment, if he were the person sent over; and that he was willing, not only to venture himself, but, in assurance of good usage, to carry over his wife and family with him. Whereupon his Majesty, being very well satisfied with Mr. Randolph's good behavior, and the service he had done, and was likely to perform hereafter, was pleased to declare that he did approve of his going over to be Collector at Boston."[2]

[1] Journal, &c., in the Phillipps MSS.; comp. Colonial Papers, &c. — "On New England affairs," wrote the Lords to Danby, when they executed this last resolve, "we have had more light and information from Mr. Randolph than from any person else."

[2] Journals of the Privy Council. — I

Reply of the agents to Randolph's report. June 28.

The agents presented to the Lords of the Committee a written reply to the representations in Randolph's "Narrative." The Massachusetts people, they said, "never proclaimed any of the late powers, or derived authority from them, as the other plantations did. . . . . The rest of the inhabitants were very inconsiderable as to number, compared with those that were acknowledged church-members. . . . . The Indian war had its sole rise in the Colony of New Plymouth; and, would the Massachusetts have stood neutral, the chief of the Indians had often declared they would not have given them any disturbance, so far were they themselves from laying anything to the charge of the Massachusetts. . . . . The standing revenue of the Colony, when at best, had never yet amounted to £700 sterling per annum." The rest of the public expense, amounting to £800, was "wont to be levied by a common tax upon the whole people." "There were not at present above six or seven ruling elders [to which class of persons Randolph had ascribed a controlling authority] in the whole Colony." It was confidently believed "there would not be found above twelve or fourteen merchants that reached to £5,000, and not half of those that came up to £10,000 apiece." "New planters had rarely come over, for many years past; much less Irish

presume that Hutchinson was misled by this to make his statement (History, I. 297) that Randolph was in Massachusetts in the year 1678. His coming would have occasioned a flutter in the Colony, of which I have observed no trace. There is no allusion to such a visit in that brief, but detailed, sketch of his movements (Mass. Arch., CXVII. 218), where it might be confidently looked for; and between his public appearances in England, there does not appear to have been any interval sufficiently long for him to make the voyage. Further, Randolph says (Ibid.), "I attended two years . . . . . at the Council Chamber," &c. The two years are reckoned backwards from his embarkation for America in October, 1679.

Randolph's instructions, as Collector, from the Commissioners of the Customs (George Downing and two others), dated July 9, 1678, are in Mass. Arch., LXI. 168–177. His commission, of the same date, is printed in Mass. Hist. Coll., XXVII. 129.

or Scotch, or any foreigners; nor were any blacks imported." The population they declared themselves unable to state.[1]

After another month the agents were summoned before the Lords of the Committee to give an account of the effect that had been produced by the letters sent out by them to the Colony in the preceding summer.[2] They said that, when those letters arrived, the General Court was just rising; and, though it had recently assembled again, this was merely for the annual election, and "there was no full account of what they did, the small-pox having then very much interrupted their meeting." Some discussion took place, which "confirmed many of their Lordships in their opinions that the establishment of a General Governor, and of a fit judicature there for the determining of differences, was become altogether necessary."[3] The agents had had enough of England. The constrained oath of allegiance, the loss of New Hampshire, the perpetual altercations with Randolph,[4] and now the serious project of a General Governor for the crown, must have made them wellnigh weary of their lives. They begged for leave to go home. But they were told that

July 30.

July 31.

1 Colonial Papers, &c.; comp. Chalmers, Political Annals, 436.

2 See above, p. 311.

3 Colonial Papers, &c.; comp. Mass. Rec., V. 155, *et seq.*

4 Breedon also (see above, Vol. II. p. 616) was busy again. Among the Colonial Papers there is a memorandum belonging to August of this year, and indorsed, "Captain Breedon concerning New England." (See above, Vol. II. p. 498, note.) In it he says that, "during the time of Oliver, England had always an agent here; one Winslow was the man"; — that Goffe and Whalley, while in Massachusetts, "called themselves Richardson and Stephenson"; and that for "listing men for that expedition [to New Amsterdam] he was put in prison for twenty-four hours, till he gave security to desist." — Dr. O'Callaghan has printed (Documents, &c., III. 39–41) Breedon's "Narrative and Deposition" of October 17, 1678. — Probably the question had arisen whether any further injurious information was to be obtained from any one of Lord Clarendon's Commissioners; for Breedon writes to Randolph (October 23d, 1678): "I hear that Captain Nicholas (*sic*), Sir Robert Carr, Colonel Cartwright, and Mr. Maverick, are all dead." (Ibid.)

that could not be "before there were a final resolution taken upon this whole business, ... his Majesty considering of what importance it would be, as well to the happiness and perfect settlement of the Colony, as to his own royal service and dignity, that some fit regulation should be made in what had hitherto been amiss." [1]

Further concessions in Massachusetts.

The General Court of Massachusetts held a dreary meeting after the arrival of intelligence of these proceedings. The clear-sighted old Governor had, it seems, made up his mind at once as to what it was best to do in respect to one demand, and, having resolved, had proceeded to action without delay. He "read his Majesty's letter, with the copy of the oath of allegiance sent therein, acquainting the Court that himself, the Deputy-Governor, and Magistrates then present in Council at Cambridge the —— of August last, with the Secretary, took the said oath *in totidem verbis*." [2] Things looked serious. The Court "set apart the ninth instant to humble themselves before the Lord, and seek his face, desiring the help of the Governor and Assistants, and that the Reverend Mr. Oakes give a word of exhortation."

October 2.

What they had made up their minds to do, they proceeded to do thoroughly. Having taken the oath themselves, they ordered that it should be taken by all persons within the jurisdiction of sixteen years of age and upwards; that, to this end, magistrates, justices of the peace, and constables should be furnished with "printed copies of the said oath of allegiance, exactly agreeing with the written copy enclosed in his Majesty's letter, and signed by the Secretary of State"; that the constables should convene the inhabitants of the several towns and villages with all convenient speed

October 10.

[1] Colonial Papers, &c.

[2] The taking of the oath by apparent compulsion was the thing chiefly disagreeable about it. In its terms there was nothing particularly unpalatable to the Massachusetts Puritans. It amounted to extremely little besides abjuration of the Pope.

for the administration of the oath; and that whoever should fail to present himself for the purpose, except with the excuse of sickness, should be punished with fine and imprisonment. In a further expression, which might almost seem ironical, of exuberant zeal for the King's quiet, they amended their law of treason, so as to make punishable with death the utterance of any design against his life or his government, whether "by printing, preaching, or malicious and advised speaking."[1]

Further instructions to the agents.

The Court caused to be prepared an Address to the King, and a full letter of further instructions to the agents, accompanied with replies to the strictures of the law officers and of the Lords of the Committee. Divested of its profuse acknowledgments of benefits in time past, and its assurances of a disposition to merit a continuance of them, without "affecting and aspiring to a greatness ..... incompatible with the duty of good and loyal subjects to a most gracious King," the material part of the Address consisted of a prayer that the "messengers, having despatched the business betrusted with them, ... might be at liberty to return, and not be obliged to make answer to such complaints as were made by unquiet spirits." If the agents could be got home without having to plead to further charges, there would be hope for another breathing-spell; and delays had always served the Colony. But this was not yet to be.

To the agents the Court expressed their high sense of the value of the charter, and of the benefits which it had been the means of obtaining both for Massachusetts and for the parent country. "We would not," they wrote, "that by any concessions of ours, or of yours in our behalf, any the least stone should be put out of the wall; and we are not without hope that, in the issue, his Majesty's favor will be as the north-wind

[1] Mass. Rec., V. 191–194.

for the scattering of those clouds that do seem at present to threaten the loss of our future tranquillity." They hoped that the King, on full advisement, would not object to their continuing to coin money; and they "would take it as his Majesty's signally owning them, if he would please to order such an impress as would be to him most acceptable." They approved of the purchase of Maine, and desired the continuance of every effort to secure the jurisdiction of New Hampshire. They could not send "further supplies of money, save only for discharge of arrears past, and would be accommodable for return home, ... their treasury being not only empty [by reason of the late war], but many thousands of pounds indebted to merchants among themselves and in England, that had lent money for their supply." The King's arms they had "ordered to be forthwith carved by an able artist, and erected in the court-house." In respect to several questions raised by the law officers and by the Lords of the Committee, they "dared not presume to give an answer, his Majesty not having as yet declared his pleasure therein"; but they enclosed a memorandum of their views upon several heads, of which the agents, "as they had opportunity, might make use."

To the censure because "in their laws they used the word *commonwealth*," they replied, in this memorandum, that it was "neither in contempt of or opposition to royal authority, and had not of late been used, nor hereafter should be."[1] The Quakers whom they had executed when they refused to be banished were, they said, "no more put to death for religion than the Jesuits and Seminary priests, put to death in the time of Queen Elizabeth and King James, of blessed memory, were for

[1] Yet in the Colonial Papers there is a military commission from Massachusetts to Richard Newman, dated November 10, 1675, and issued "by the authority of this Commonwealth."

religion, who suffered death justly for their breach and contempt of his Majesty's laws." To the objection made to the "oath of fidelity to the country,"[1] they replied that, "the oath of allegiance now sent over by his Majesty being taken by all his Majesty's loyal subjects, their oaths to public officers were the same for substance with the oaths of the public officers of other corporations." Referring to the "laws for encouraging trade and navigation," they used the following remarkable words: "We humbly conceive, according to the usual sayings of the learned in the law, that the laws of England are bounded within the four seas, and do not reach America, the subjects of his Majesty here being not represented in Parliament. So we have not looked at ourselves to be impeded in our trade by them, nor yet we abated in our relative allegiance to his Majesty. However, as soon as we understood his Majesty's pleasure, that those acts should be observed by his Majesty's subjects of the Massachusetts, which could not be without invading the liberties and properties of the subject, until the General Court made provision therein by law, which they did." "Laws accounted repugnant to the laws of England" they were willing to "repeal with all convenient speed, ... except such as the repealing whereof would make them to renounce the professed cause of their first coming."

Before adjourning, the Court appointed a day in the following month "to be solemnly kept as a day of fasting and prayer in all the churches and congregations throughout the jurisdiction, to pour forth strong and unanimous cries unto God." They exhorted the people to pray that, "as he was present with the blessed generation of his precious ones, the leaders of his people into and in this wilderness, and did hear them when in their distresses they cried unto him, he will still please to dwell

[1] See above, p. 316.

in the midst of us, and not forsake us; that he will not take away his holy Gospel, and, if it be his good will, yet to continue our liberties, civil and ecclesiastical, to us and to our children after us."[1]

What they esteemed the needful safeguards of their "liberties ecclesiastical" were presently to be assailed more directly than as yet they had been. Randolph presented a memorial to the King in Council, praying, among other things, that Churchmen might be admitted to public office in Massachusetts, and that the worship of the Church of England there might be made lawful. The Lords of the Committee, on its reference to them, gave their advice, "that the Lord Bishop of London be directed to appoint forthwith some able minister to go and reside at Boston in New England, and to appoint so many others from time to time as the country should be willing to maintain. ..... And their Lordships still further advised his Majesty, that all persons taking the oath of allegiance, and joining themselves with the congregation of the minister to be appointed by the Lord Bishop of London, and having obtained a certificate, under the hand of the said minister and three of the said congregation, of their conformity to the Church of England, should be by his Majesty's express orders declared as capable of all freedoms and privileges as any other person whatsoever."[2] Other recommendations made by Randolph at the same time, the Committee were not yet prepared to approve. One was, that the number of Magistrates should never be less than eighteen; another, that no laws made in that Colony should be valid with-

Further demands in England. 1679. January 15.

February 6.

1 Mass. Rec., V. 196–203.

2 Colonial Papers, &c. The Lords now returned to this business after being "diverted by the multiplicity of affairs in Parliament and prosecution of the plot [see above, pp. 246 *et seq*] from offering unto his Majesty such regulations as might be thought fit for bringing the Massachusetts to a due acknowledgment of their duty and dependence on his Majesty." (Colonial Papers, &c.; Phillipps MSS.)

out being confirmed by the King in Council; and another, that all inhabitants should be freemen on the sole condition of taking the oath of allegiance. A fourth related to the military force; it was, that all military commissions should be issued in the King's name, and that Governor Winslow of Plymouth should be made Commander-in-chief of the militia of New England.[1]

The impatience of the agents to take themselves out of the way did not escape notice or animadversion. They were summoned before the Lords of the Committee "upon an information that they were preparing for their departure to New England, contrary to his Majesty's commands." They disavowed all such intention, and were told that their stay had been prolonged by the neglect of their principals to give the King satisfaction.[2] Titus Oates and Lord Shaftesbury were more serviceable to Massachusetts in obtaining a reprieve than her agents. After three more weary months of hope deferred, the agents began to have a prospect of home.[3] The Lords of the Committee advised that they should be allowed to go,

February 24.

May 20.

[1] Upon these recommendations of Randolph, Sir Robert Southwell, now Secretary to the Privy Council, reported to that board that he did "not doubt but that his [Randolph's] business would thrive much the better, if, upon presenting such orders, there could any hopes of obedience be expected thereupon. But his Majesty's Commissioners, who did never attempt so great operations as were there proposed, were yet withstood and defeated in their business." Sir Robert thought, therefore, that there should be further consideration "lest his Majesty's intentions should be foiled for the want of authority in Mr. Randolph to support them." (Colonial Papers, &c.)

[2] Ibid. — At this interview the agents declared that the Colony had "repealed the law against keeping of Christmas." I presume that they spoke in good faith; but I do not find that that law was repealed till more than two years later. (Mass. Rec., V. 322.)

[3] The agents had been brought into trouble meanwhile by a discovery of their avidity for papers not intended for their eye. Randolph charged them with having surreptitiously obtained a copy of his "Narrative." (See above, p. 289.) Being questioned about this by the Lords of the Committee, they said (March 28) that it was true they had a copy, but that they got it from Mason, the claimant of New Hampshire. Mason was thereupon summoned, and said that "he thought himself a party

"the rather because the prosecution of the Popish plot had not left a sufficient leisure for a perfect settlement of that Colony."[1] But the long process of arranging the conditions of dismissal was yet to be gone through. At last the Lords of the Committee, finding nothing to change their opinion that "the present conjuncture was not very favorable for settling and establishing his Majesty's service in such method as were to be wished," advised "such a draft of a letter to be writ unto that Colony as might keep things in a fair and probable way of amendment, until a fitter season should present more effectually to reassume the care of this whole matter."[2] Not very long after, the agents began to breathe freely again on their homeward passage,[3] carrying with them, as a parting word

June 20.

Return of the agents.

concerned in that matter, and had assisted in drawing it up, and did confess that he gave a copy thereof to the agents; but his reason was because he had been told by one Mr. Wade, a servant to the Lord Privy Seal [Lord Anglesey], that one other of the servants had made a copy of it before for the New England agents, and therefore he was willing to give it them without any fault or mistake. But the agents both affirmed that they had not had it before, and had it only from Mr. Mason, but did acknowledge that they had sent a copy of it into New England." "The agents of New England being interrogated if they had not desired Mr. Blathwayt to give a copy of the Lord Carlisle's commission and instructions, Mr. Stoughton said he had not desired to see a copy of instructions of my Lord Carlisle, but only to see the form of a commission out of curiosity." (Colonial Papers, &c.) William Blathwayt was Clerk to the Lords of the Committee.

[1] Ibid. — The interruptions occasioned by the Popish plot were not the only difficulty. The Lords of the Committee were doubtful and embarrassed about the whole matter. Nothing but Randolph's confidence and pertinacity seems to have kept them up to their work. March 10, of this year, they wrote to Lord Danby, advising a suspension of proceedings till more mature consideration should be had. "We find," they said, "not only by the affronts and rejections of those Commissioners which his Majesty sent out in 1665, but by the whole current of their behavior since, that, until his Majesty shall give those his subjects to understand that he is absolutely bent upon a general reformation of the abuses in that government, we cannot hope for any good from the single endeavor of any officer that may be sent, but rather contradiction and disrespect in all that shall be endeavored for his Majesty's service, if they can but call it an infringement of their charter." (Ibid.)

[2] Journals of the Privy Council.

[3] Randolph says (Mass. Arch., CXXVII. 220) that the agents re-

from the Lords of the Committee, a rebuke in set terms for "the presumption of the Massachusetts in buying the Province of Maine while the complaints of Mr. Gorges were under consideration," that measure being esteemed "of such evil consequence that their Lordships agreed to report that, upon reimbursement of what should appear to have been paid for the same, that Colony should be obliged to make a surrender of all deeds and writings thereof into his Majesty's hands."[1] Randolph had no intention to lose sight of the agents. He and they embarked for Boston about the same time.[2] June 19.

ceived permission to embark for home September 10; but something seems to have detained them about two months longer.

[1] Colonial Papers, &c.

[2] According to Hutchinson (Hist., I. 292), "the agents arrived at Boston December 23d," 1679. I should not have supposed that it was so late; but he was habitually accurate, and the precision of this statement entitles it to reception. Randolph's passage was engaged September 5 (Journal of the Privy Council); but he did not actually embark till October 23 (Mass. Arch., CXXVII. 218.) The allowance of his pay as Collector began June 12, 1678, when it was expected that he would soon sail for New England (see above, p. 317). For his services in the business of New England between September 10, 1676, and that date, he was allowed (June 20, 1679) £ 175. (Colonial Papers, &c.)

CHAPTER VIII.

Notwithstanding the show of brave opposition to the demands of the British court, the public spirit of Massachusetts had never been so tame as it was at the time when her agents came back from England. Part of what Randolph reported was only too true. The Magistrates were divided in their policy. Bradstreet, Denison,[1] Dudley, and others were, in truth, disposed to yield to the encroachments of the King and his ministry.

Parties in Massachusetts.

While Governor Leverett lived, they were kept effectually in check by his paramount influence. Except the first illustrious chief magistrate, the Colony had never had so thoroughly competent a head. Profoundly religious, largely experienced in civil and military action, sagacious, well-instructed, cautious, and bold, he was equal to the exigencies of a peculiarly responsible public career. Born and educated in England, he had just arrived at manhood when he came with his father to the feeble Colony. Invested almost immediately with important trusts, he became versed in its local administration, and imbued with the patriotism of the place; and when he went away for long service in the camp and court of Cromwell, he never forgot his early home. Returning to it at the critical time when the sharpest of the controversies between Massachusetts and the Commissioners of Lord Clarendon was just coming on, he was at once elected to the magistracy to support the

1665.

[1] Bradstreet and Denison had manifested their tendencies ten years earlier. See above, Vol. II. p. 627.

vigorous administration of Bellingham, when that resolute ruler succeeded to the place of Endicott. When Bellingham died,[1] after seven years' service, there was no doubt that Leverett was worthiest to be Governor; and in that capacity he conducted Massachusetts through the difficulties of Philip's war, and through the early stages of her conflict with the persevering English emissary. Leverett died two months before the expiration of the term of service to which he had last been chosen.[2]

1672.

1679. March 16.

At the election which took place in the spring before the return of the agents, Bradstreet, then seventy-six years of age, was made Governor. Circumstances independent of his merits led to his elevation. Symonds, the Deputy-Governor, died before Leverett.[3] Bradstreet had been in the Colony from its beginning. He was one of the few members of the Company who had come out from England, and one of the Assistants chosen in that country, of whom he was now the only survivor. He had been Secretary for some years, and had been always in the Magistracy. He had acquitted himself not ill in his embassy to England; and whatever displeasure was felt for the unsatisfactory result of that mission had been visited less upon him than upon his more capable and less phlegmatic colleague. His family connections gave him consequence. He married first a daughter of Thomas Dudley, and then a daughter of Emanuel Downing. He

Governor Simon Bradstreet. May.

1678. October.

1 Bellingham died of the stone. See above, p. 92; comp. Vol. II. p. 629, note.

2 At Leverett's death, the General Court directed the Treasurer to receive from his widow the duplicate of the charter and deliver it to his successor. (Mass. Arch., III. 238.) — Anciently Governors of Massachusetts were magnificently buried. Twenty gentlemen (*Mr.*s and military officers) attended Leverett's hearse, preceding, flanking, and following it. One bore his helmet; one, his sword; two, each a gauntlet; two, each a spur; and so on. (Mass. Hist. Coll., XVIII. 44.)

3 Symonds was rich. His estate was appraised at the sum of £2103 6*s.* 10*d.* (Mass. Rec., V. 257.) He had farming lands in different places. His house in town was sumptuously furnished.

was a blameless and well-intentioned man, a conscientious Puritan, and a painstaking officer, eminently trustworthy in the details of business; and if he was not regarded as having a superior understanding, or an energy adequate to uncommon occasions, still, when the second place in the government fell vacant, there was no reason sufficiently clear and weighty for resisting the pretensions set up for one against whom nothing worse was to be said than that he was the favorite of the moderate party.[1] Then Leverett died, and Bradstreet exercised provisionally the functions of Chief Magistrate.[2] When, after a

[1] Bradstreet was chosen Deputy-Governor, in October, by ballots in the towns, by virtue of a warrant issued for an election. (Mass. Rec., V. 209.) It was just under these circumstances that promotion would be likely to fall on a man of his negative character and *quasi* neutral position. Had the election taken place as usual, in the excitement and free consultation of the General Court, it might probably have resulted otherwise.

[2] The "Reforming Synod" was held at Boston in the autumn of the first year of Bradstreet's administration. In May, 1679, when he was chosen Governor, "in answer to a motion made by some of the Reverend Elders that there might be a convening of the elders and messengers of the churches in form of a Synod, for a revisal of the Platform of Discipline agreed upon by the churches, 1647 [see above, Vol. II. p. 183], and what else may be necessary for the preventing schisms, heresies, profaneness, and the establishment of the churches in one faith and order of the Gospel, the Court did approve of the said motion, and ordered their assembling for the ends aforesaid on the second Wednesday in September, at Boston; and the Secretary was required seasonably to give notice thereof to the several churches." (Mass. Rec., V. 215.) The "motion" of the Reverend Elders was in the form of a memorial from twenty of their number. John Eliot was the first signer, and Increase Mather the second. (Mass. Arch., X. 197.)

The order of the General Court contained nothing about judgments of the Lord, but when the Synod met, it assumed its business to be to consider two questions, viz.: — 1. "What are the evils that have provoked the Lord to bring his judgments on New England"; 2. "What is to be done, that so these evils may be reformed."

By the kindness of a descendant of the Reverend Mr. Peter Thacher, I have the use of a journal kept for several years by that eminent divine, already a preacher in 1679, and afterwards minister of Milton. He was present at the Synod, and his account of its proceedings is circumstantial. At its meeting, September 10, Mr. Sherman, of Watertown, and Mr. Oakes, of Cambridge, were chosen Moderators. Some ministers presented themselves as members, unaccompanied by lay delegates from their churches. This was regarded as an irregularity, and proceedings ceased till it was corrected. A fast was kept. It is no-

short interval, the time for another election came, a difficulty was naturally felt in resisting his elevation in favor of some comparatively inexperienced candidate; nor was it to be expected that the great neutral body, who respected his private character, and were grateful for his long services, would entertain a severe judgment of the mediocrity of his qualifications. He can scarcely be pronounced to

ticed that "the Governor came into the Synod."

When the Synod got fairly to work (September 17), "the Platform [the Cambridge Platform] was read and approved, for the substance, by a unanimous vote." When the report of a Committee on "the evils that had provoked the Lord" came up for consideration, "Mr. Wheelock [I suppose, Ralph Wheelock, Deputy from Medfield] declared that there was a cry of injustice in that Magistrates and ministers were not rated [taxed], which occasioned a very warm discourse. Mr. Stodder [minister of Northampton] charged the Deputy with saying what was not true, and the Deputy-Governor [Danforth] told him he deserved to be laid by the heels, &c. After we broke up, the Deputy and several others went home with Mr. Stodder, and the Deputy asked forgiveness of him, and told him he freely forgave him, but Mr. Stodder was high." The next day, "the Deputy owned his being in too great a heat, and desired the Lord to forgive it, and Mr. Stodder did something, though very little, by the Deputy. . . . . There was much debate about persons being admitted to full communion, and Mr. Stodder, the minister, offered to dispute against it, and brought one argument; . . . . . but after some time the rest of his arguments were deferred, and at present it was eased."

September 19, "what was drawn up by the Committee and corrected by the Synod in answer to both questions was unanimously voted. . . . . Also a Committee was chose to present what the Synod hath done (after they had prefaced it) to the General Court in October, ... and to draw up a Confession of Faith against the next Wednesday before the General Court of Election next. This Committee was also desired, if the Court approved of it, to write to the churches of the United Colonies, and inform, if they pleased to send their elders and messengers, it would be very grateful. After this, a psalm being sung, Mr. Cobbet concluded with prayer."

The Reforming Synod sat ten days. Its "Result" may be read in Mather's Magnalia (V. 88–94). It is chiefly remarkable for its freedom from that sectarian jealousy which would have marked any similar document in earlier times. Among the "evils that had provoked the Lord to bring his judgments on New England" are specified "a great and visible decay of the power of godliness," "abounding pride," "neglect of church-fellowship and other divine institutions," "oaths and imprecations in ordinary discourse," Sabbath-breaking, remissness in family government and family worship, "sinful heats and hatreds," intemperance, "promise-breaking," "inordinate affection unto the world," "opposition to the work of reformation," want of public spirit, and "unfruitfulness under the

have been equal, either in ability of mind or in force of character, to the task of steering the straining vessel of the state in those stormy times. More than any other man then living in Massachusetts, Thomas Danforth was competent to the stern occasion. But, in the circumstances, the verdict of the electors is not matter of surprise. The administration acquired character and strength by the election of Danforth to the second office; and both Governor and Deputy-Governor were continued

means of grace." And the answers to the second question, "What is to be done, that so these evils may be reformed," have judicious reference to the evils respectively. The "defect of the churches" in having generally "only one teaching officer, for the burden of the whole congregation to lie upon," is reprehended as being "very lamentable"; and, as "an expedient for reformation," it is urged "that effectual care be taken respecting schools of learning." It was as yet impossible absolutely to forget Quakers and Baptists; but the former are despatched in a single sentence as "false worshippers," and the latter, when they receive "into their society those that have been for scandal delivered unto Satan," are said to "do no better than set up an altar against the Lord's altar." But no measure of repression is recommended against either. In connection with intemperance are mentioned "that heathenish and idolatrous practice of health-drinking, ... immodest apparel, laying out of hair-borders, naked necks and arms, or, which is more abominable, naked breasts, and mixed dancings, light behavior and expressions, sinful company-keeping with light and vain persons, unlawful gaming, and an abundance of idleness, which brought ruinating judgment upon Sodom."

The General Court, which met in the following month, ordered the printing of the *Result*, and "commended the same to the serious consideration of all the churches and people in the jurisdiction, enjoining and requiring all persons in their several capacities concerned to a careful and diligent reformation of all those provoking evils mentioned therein." (Mass. Rec., V. 244.) And the following spring the Court further ordered the printing of a Confession of Faith prepared by the late Synod, and of the old Cambridge Platform. (Ibid., 287.) The Synod's scheme for a Synod of all the Churches of the United Colonies was not followed up.

Cotton Mather says (Parentator, &c., 85) that his father drew up the *Result* of the Synod. Dr. Wisner thought that its lamentations over the degeneracy of the times were to be interpreted with severe literalness. (History of the Old South Church, &c., 14, 15; comp. Neal, History of New England, &c., II. 409.) But Cotton Mather was of a different mind. "New England was not become so degenerate a country, but that there was yet preserved in it far more of serious religion, as well as of blameless morality, than was proportionably to be seen in any country upon the face of the earth." (Parentator, &c., 82.)

in place, by successive elections, as long as the charter government lasted.

Randolph, sailing for New York, reached America a fortnight earlier than the agents;[1] but he did not appear at Boston till more than a month after them, being instructed first to go to New Hampshire, and settle a government there, as will hereafter be related. A week after his arrival at Boston, the General Court assembled, and the King's letter which had been brought by the agents was read. In it the King expressed his disappointment that Stoughton and Bulkley had not been furnished with fuller powers, and announced his "will and pleasure" that, within six months, other agents "duly instructed" should be sent out. He repeated his injunctions respecting an admission of members of the Church of England to the franchise and to every kind of civil equality, and respecting an increase of the number of Assistants, so as to accord with the charter. He again required a recital of the royal authority in military commissions and legal proceedings, and a strict obedience to the Acts of Trade and Navigation. He gave notice of the appointment of Randolph to be "Collector, Surveyor, and Searcher" for all the Colonies of New England; and concluded by declaring himself "surprised" that they should "presume" to purchase the province of Gorges when it was known that he was himself "in treaty for it," and by making known his expectation that they would transfer it to him, "upon a reimbursement of what it should appear they had paid for the same."[2]

Return of Randolph from England. 1679. December 7.

1680. January 28.

Letter from the King. February 4.

After its own manner, — for the Deputies were stern, and compromises had to be studied, — the Court proceeded to act upon these instructions. A

Action of the General Court.

1 Randolph's memorandum, in Mass. Arch., CXXVII. 218.

2 For the King's letter, see Hutch. Coll., 519. The date is July 24, 1679.

form of military commission was drawn up, in which the officer was informed that he was appointed "for the service of his Majesty," and that it was "in his Majesty's name" that he was "authorized and required" to take command. Provision was made for the election in future years of eighteen Assistants, "according to the charter." The Governor was instructed to take "the oath required by his Majesty for the observation and execution of the statutes for the encouraging and increasing of Navigation and Trade." The "long and faithful service of the honored agents, William Stoughton and Peter Bulkely, Esquires," was acknowledged "with all thankfulness," and with a "personal gratuity" of a hundred and fifty pounds each, "in addition to what had been already granted." The ancient claim to New Hampshire was relinquished by an order vacating "all commissions formerly granted by the Colony of the Massachusetts to any person or persons that lived in the towns of Hampton, Exeter, Portsmouth, and Dover." On the other hand, the Colony, by virtue of its purchase, stepped into Gorges's place as Lord Proprietor of Maine.[1]

Bradstreet was perhaps apprehensive that the temper of the next General Court would prove more resolute than was consistent with his views of prudence; and, the day before it was to meet, he replied to the King's letter on his own account.[2] At this

May 18.

1 Mass. Rec., V. 260 – 264. — At this Court it was "ordered that the Honorable George Russell, Esq., now resident in Boston, be admitted to the freedom of this Corporation, if he please to accept thereof." He was the youngest of six brothers of the illustrious William Lord Russell (Wiffen, Memoirs of the House of Russell, II. 223), — "a gentleman," says Wooley (Journal, &c., 57), who knew him in New York, "of a comely personage, and very obliging."

2 Colonial Papers, &c. — Of Randolph the Governor wrote that the people "generally looked upon him as one that bore no good-will to the country, but sought the ruin of it." — The Governor's letter contains the following interesting statement: —

"There hath been no company of blacks or slaves brought into the country since the beginning of this plantation, for the space of fifty years; only one small vessel, about two years since,

Court, for the first time in the history of the Colony, eighteen Assistants appeared, in accordance with a provision of the charter, and with the royal pleasure recently expressed. The Court was in session for the unusually long period of three weeks.[1] The reason may well be supposed to have been the difficulty of coming to the decision, already too long delayed, respecting an answer to the letter of the King. The Court whiled away the greater part of the session in attending to matters of mere detail. By a vessel sailing for England three days after the opening, they despatched May 22. to the Earl of Sunderland, Secretary of State,[2] a letter designed to stay the royal displeasure till something could be deliberately done. After a recital of the doings of the last General Court, the letter proceeded to say: "Such was the extremity of the season, that a considerable number of the members of the said General As-

after twenty months' voyage to Madagascar [a great way for the commerce of Boston to extend], brought hither betwixt forty and fifty negroes, most women and children, sold here for ten, fifteen, and twenty pounds apiece, which stood the merchants in near forty pounds apiece, one with another. Now and then two or three negroes are brought hither from Barbadoes and others of his Majesty's plantations, and sold here for about twenty pounds apiece, so that there may be within our government about one hundred, or one hundred and twenty; and it may be as many Scots, brought hither and sold for servants in the time of the war with Scotland, and most now married and living here, and about half so many Irish, brought hither at several times as servants."

Small, however, as was the element of African slavery, there was enough of it to manifest that brutalizing influence that goes with it like its shadow. In 1681, a negro murderess was burned in Boston (Mather's Journal, in Proceedings of Mass. Hist. Soc., I. 320); "the first that has suffered such a death in New England."

[1] There was a project, at this time, for causing the mint-masters to be remunerated for their service from the public treasury, instead of receiving their compensation from those who brought bullion to be coined. (Mass. Arch., C. 243, 245, 260.) But I do not find that it took effect.

[2] Sir Lionel Jenkins, a Welshman, was now the Earl's colleague Secretary, having succeeded Sir Henry Coventry, April 14, 1680. He had previously been a Judge of the Admiralty Court, and then successively Ambassador to France, and a Commissioner for the Treaty of Nimeguen. I do not change the common spelling of his Christian name, though it would be more properly written *Leoline*, or *Lluellyn*.

sembly could not possibly attend, thereby occasioning the deferring the further consideration of the remaining particulars of his Majesty's letter until this present Court of Election wherein we are newly assembled, although prevented of making further answer thereto at present by reason of the sudden departure of the ship by which we convey this." The Court affirmed that, so far from laying "a severe hand" on the Province of Maine, as they had been charged with doing, they had exempted it from taxation, and defended it "from utter ruin" at the cost of many lives, and of many thousands of pounds; and they concluded with most humble thanks to the King for the "expression of his gracious inclination to have all their past errors and mistakes forgotten, and their condition so amended that neither their settlement nor the minds of his good subjects in the Colony might be shaken."[1]

The King could not be expected to wait indefinitely. Even if he was busy with other matters, Randolph had abundance of time to attend to Massachusetts. Clearly it was prudent to say something without further delay; and, after wearisome pondering and anxious debate, a letter was indited to the King, which cannot be regarded as expressing the sentiments of either of the parties that divided the Court, but rather as indicating that the best compromise which they were able to reach rested on silence and further procrastination in respect to the pending matters of greatest moment. They informed Lord Sunderland, "in order to his Majesty's more full satisfaction," that, in addition to the proceedings, already reported, of the last Court, a committee had now been raised "for the review of the laws, to the intent that, where any should be found repugnant to the laws of England, or derogatory to his Majesty's honor and dignity, they might be repealed or amended." "Concern-

[1] Mass. Rec., V. 270, 271.

ing liberty of conscience," they "acknowledged that a chief design of their fathers and predecessors in coming over was to enjoy a freedom in the matter of religious worship, accounting all the losses, hazards, difficulties, and great labors of so vast a transportation, and of their first planting a wilderness, not too great a price for the same." "That a multitude of notorious errors and blasphemies should with impunity be openly broached, nourished, and propagated amongst them, as by the Quakers, &c., they presumed that his Majesty did not intend; and as for other Protestant dissenters that carried it peaceably and soberly, they trusted there should be no cause of just complaint against them on their behalf." They asked a favorable consideration of the law by which, "in obedience to his Majesty's pleasure," they had extended the privilege of their franchise to others besides members of their churches, "though they humbly conceived their charter did expressly give them an absolute and free choice of their own members." "With reference to the Province of Maine, they were heartily sorry that any actings of theirs should be displeasing to his Majesty." They had readily submitted to his decision awarding to Gorges a property which they had considered to be rightfully theirs; and they had not thought it wrong to make the purchase after it had been a year in the market, and after they had been "well assured of the strong inclination and desire of the generality of the inhabitants to come into a quiet, speedy, and easy settlement under those of whom they had so long and beneficial an experience."

The question that required the most delicate handling still remained. As to this they wrote: "We are most humbly bold at this time to beg his Majesty's excuse, and to hope for his gracious indulgence, that we have not as yet sent over other agents to attend again in our concerns; and the rather for that we understand

his Majesty and his most honorable Privy Council are still taken up in the same matters, of far greater importance, which necessitated so long a deferring of our late agents, and at length inclined his Majesty graciously to dismiss them;[1] unto which, by way of further apology, we have in truth to add our present low condition, through the vast charges of the late war, the great debts yet abiding heavy upon us, and the late wasting fire happening in our principal town; all which renders it exceeding difficult for us so speedily to raise and furnish the necessary disbursements of a new sending; nor can we omit the great hazard of the sea, creating a backwardness in persons most suitable to be employed, we having already lost five or six of our vessels by Turkish pirates, and many of our inhabitants continuing at this day in miserable captivity amongst them."[2] The Court could not, except under strong necessity, be brought to trust agents in England with its business.

Proceedings and position of Randolph.

Meanwhile Randolph, proceeding without delay after his arrival at Boston to one part of the business with which he was charged, had "seized several vessels with their lading." To seize was a simple process; but forms of law had to be gone through with before vessels and cargoes could be condemned, and Randolph found courts and juries utterly indisposed to meet his wishes. In plaintive language he summed up his first experiences of this description: "His Majesty's authority and the Acts of Trade were disowned openly in the country, and I was cast in all these causes, and damages given against his Majesty." He wrote home, that it was "now in every man's mouth

January 28.

[1] See above, p. 326.

[2] Mass. Rec., V. 287–289. — The fire in Boston, above alluded to, broke out near the town dock in the night of August 8, 1679, and raged for twelve hours, destroying eighty dwelling-houses, seventy warehouses, and a number of vessels at the wharves. The loss was estimated at not less than £ 200,000. — For the reluctant course taken in expurgating the laws for the King's satisfaction, see Ibid., 268.

that they were not subject to the laws of England, neither were those of any force till confirmed by their authority"; and that "the Church party at Boston endeavored to debauch the merchants and loyal men." In respect to the arrangements for Gorges's Province, he reported that it was "promised by sufficient merchants in Boston to deposit the money for the purchase of Maine, and upon such terms as it might be for the benefit of the poor, distressed inhabitants."[1] His impatience was stimulated by the personal vexations to which he found himself continually liable; and he sent over a memorial to the King urging the expediency of proceeding against the charter of Massachusetts by a writ of *quo warranto*.[2] As he affected no secrecy as to his sentiments, and little as to his designs, it may well be supposed that he found himself engaged in a perpetual quarrel, and was more and more irritating and irritated day by day. "Every

February 24.

April 8.

1 Colonial Papers, &c.

2 Ibid. — "In all humble obedience," so Randolph wrote, "to your Majesty's royal command, he [Randolph] hath reduced his information to these following heads, viz.: —

"1. That the Bostoneers have no right either to land or government in any part of New England, but are usurpers, the inhabitants yielding obedience unto a supposition only of a royal grant from his late Majesty.

"2. They have formed themselves into a commonwealth, denying any appeals to England, and, contrary to other plantations, do not take the oath of allegiance.

"3. They have protected the murtherers of your royal father, in contempt of your Majesty's proclamation of the 6th June, 1660, and your letter of 28th June, 1662.

"4. They coin money of their own impress.

"5. They put your Majesty's subjects to death for religion.

"6. In 1665, they did violently oppose your Majesty's commissioners in the settlement of New Hampshire. In the year 1666, by armed force, they turned out your Majesty's justices of peace in the Province of Maine, in opposition to your Majesty's authority and declaration, 10th April, 1666.

"7. They impose an oath of fidelity upon those that inhabit within their territories to be true and faithful to their government.

"8. They violate all the Acts of Trade and Navigation, by which they have engrossed the greatest part of the West-India trade, whereby your Majesty is damnified in the customs £ 100,000 yearly, and the kingdom much more.

"All which he is ready to prove."

June 7. one appearing for me," he wrote to the Commissioners of the Customs, "is accounted an enemy to the country. . . . . I desired the Magistrates to assign me an attorney or solicitor to assist me, in case any matter should arise in the practice of their courts in which I am not acquainted; but that was denied. . . . . Whilst I went for a marshal to assist in searching [a warehouse], my servants [who had been placed to watch it] were set upon by four or five persons, and very much beaten; in the mean time others removed the goods to another place." A deputy whom he had appointed, "as soon as known, was warned with his family out of doors." He gives an account of his going to seize a vessel, accompanied by the marshal and six men. "Coming up her side, I was threatened to be knocked at head; I returned, and told the Governor of it, who ordered men to be raised to seize her; but, before I came where I left her, she was towed away by Boston boats. . . . . In all other Colonies I am treated with great respect, as well for my security, as also to settle deputies. . . . . After all this trouble, I am verily assured that I have broke the heart of this Irish trade; and for all this am not discouraged, not questioning but by degrees to bring this country to better order in point of trade. . . . . For his Majesty to write more letters will signify no more than a London Gazette. . . . . The news of trouble at home gives encouragement to the faction here who oppose the Governor as well as myself. I have only hope and my life left, which I am unwilling to expose to the rage of a deluded multitude, who, under the pretence of great privilege from the King, take liberty to oppose his royal authority." "I

June 9. expect hourly to have my person seized and cast into prison."[1]

[1] Colonial Papers, &c.; comp. Hutch. Coll., 525.—For the "trouble at home," of which news was received, see above, pp. 255, 256.

He now left Boston for a time for New Hampshire, being probably frightened away.[1] His representations produced part of their natural effect in England. The royal advisers were not prepared to adopt his opinion, that in Massachusetts their master's letters were worth no more than a London Gazette. The King wrote again, and now much more angrily than ever before. He roundly chid the Massachusetts people for "putting off upon insufficient pretences" the consideration of some of his commands, and especially for their omission to send to England other agents with full powers. He "strictly commanded and required" them, "as they tendered their allegiance," to despatch such agents within three months after their reception of the order. And he ended with a very definite injunction: "That the due observance of all our commands above mentioned may not be any longer protracted, we require you, upon the receipt hereof, forthwith to call a General Court, and therein to read these our letters, and provide for our speedy satisfaction; in default whereof we shall take the most effectual means to procure the same. And so we bid you farewell."[2]

Another letter from the King. September 30.

The Court, meeting again in the autumn, while this letter was on its way, made various arrangements relating to the orderly conduct of elections, and to a reorganization of the militia, but took no measures respecting the pending controversy with England, further than to appoint a fast, for "all the Lord's remembrancers to be earnest with him in prayers, ... that all humbling dispensations towards us in these ends of the earth may be sanctified, and that God would yet, for his name's sake, continue our liberties, both civil and spiritual."[3] Presently the King's letter came, brought by John Mason himself, the heir to New Hampshire; and

December 17.

1 See below, p. 405.

2 Hutch. Coll., 522 – 525.

3 Mass. Rec., V. 290 – 301.

Further proceedings of the General Court. 1681. January 4.

a "Special General Court" was convened to consider it.[1] For a week after coming together, the Court "adjourned *diem per diem*, having debates and consideration of the things then incumbent." Without doubt the debates were warm. The record is brief. Orders were at length made for notifying to the inhabitants of the New Hampshire towns the state of Mason's claim; for hastening a revision of the laws, which had been lingering for two or three years; and finally for the election of agents to go to England, agreeably to the royal command.

January 12.

Choice of agents to go to England.

William Stoughton and Samuel Nowell were chosen to that trust by a joint ballot of the two branches of the Court.[2] Nowell, who was not a man of eminent abilities, belonged to the anti-prerogative party. Stoughton had had enough of this kind of business. A formal vote of thanks for his recent services as agent stood on the record, but he read little gratitude in the countenances of his old friends. He excused himself from the service, and John Richards, also a Magistrate, was chosen in his place.[3] Richards had belonged to the knot of those who, if Randolph read them aright, only "waited for an opportunity to express their duty to his Majesty."[4] The practical significance of the King's injunction to enlarge the number of Magistrates began to be evident. Prerogative principles, which had more favor with the Magistrates than with the Dep-

March 16.

1 John Higginson, of Salem, wrote to Increase Mather, in respect to the King's demands, "We should humbly, yet plainly, return Naboth's answer, even though we should meet with Naboth's success (1 Kings xxi. 3)." (Mather MSS. in the Library of the Mass. Hist. Soc., IV. 1.)

2 Mass. Rec., V. 302–304.

3 Ibid., 307. — Richards was an opulent merchant of Boston; a Deputy (for Hadley) as early as 1675 (Ibid., 42); Speaker of the Deputies in 1680 (Ibid., 261); and in the same year further advanced to be an Assistant. (Ibid., 265.) He was of English birth, and came to Boston with his father in 1644. He married, first a step-daughter of John Winthrop of Massachusetts; and, after her death, a daughter of John Winthrop of Connecticut.

4 Hutch. Coll., 500.

uties from the towns, obtained an advantage in the General Court. But the popular party knew how to interpose delays,[1] and the elected messengers to England still remained at home.

The Court by which their agency had been constituted had not broken up when Randolph again sailed for England.[2] He could not have arrived there at a moment more auspicious for his revenge. The Oxford Parliament had just been dissolved, and the King was again well on his way to absolute power.[3] The memorial which Randolph had sent from Boston had been referred by the Privy Council to the Lords of their Committee of Trade and Plantations.[4] "My Lord Culpepper attended, and gave their Lordships an account of the state of New England," bringing them to the "opinion that New England could not be brought to a perfect settlement unless a General Governor were sent over, and maintained there at the King's charge."[5]

Return of Randolph to England. March 15.

March 27.

April 6.

April 16.

1 See Mass. Arch., CVI. 232, 236, 246, 249.

2 "March 15. Returned to England, and obtained the King's patent to be Collector." (Randolph's memorandum in Mass. Arch., CXXVII. 218.) "May 20. £200 instead of £100 [for his salary] talked of, but not settled." (Ibid.) February 11 of this year, he asked to be commissioned as Collector for life. (Colonial Papers, &c.) But I do not know that he ever carried that point.

3 See above, p. 258.

4 Journals of the Privy Council.

5 Colonial Papers, &c. — In August, 1680, Lord Culpepper, Governor of Virginia, having passed some months there in extinguishing the remains of Bacon's rebellion, came to Boston on his way to England, and remained there seven weeks. (Hull's Diary in Archæol. Amer., III. 247.) — Where the carcass was, there the vultures were gathered together. One Robert Orchard, apparently an underling of Randolph's, who brought himself into trouble by seizing vessels, went (April 19) to the Privy Council, "complaining of several abuses and injuries done him by the authority or government of Boston in New England." (Journals of the Privy Council; comp. Mass. Rec., IV. 308, V. 131, 392, 398.) In his memorial he represents himself as having been a private soldier, and as having been wronged by the government of Massachusetts to the amount of £320, because of his loyalty. (Colonial Papers, &c.) — Francis Branson contributed a story (January 4), that, on a voyage made by him to America, "William Kelse, surgeon of his ship, bragged that he had served with the

Randolph had a short passage, and could scarcely have reached England before he went to work on a report to Sir Lionel Jenkins, Secretary of State.[1] In it he exposed "the correspondency and combination which, to his knowledge, was continued betwixt the factious parties in both Englands."[2] He proposed, among other measures, "that Mr. Danforth, Nathaniel Saltonstall, Sr., and Mr. Gedney, Magistrates, who entered the Province of Maine lately with an armed force, should be declared incapable of public trust or offices, and be bound to their good behavior in £1,000 bonds. . . . . The *quo warranto* would unhinge their government, and prepare them to receive his Majesty's further pleasure. I have often," he wrote, "in my papers, pressed the necessity of a General Governor as absolutely necessary for the honor and service of the crown; . . . . . but in many respects I do not look upon this as the proper season. Besides, should any force appear upon the coast in order to reduce them to reason before they have had a legal summons to make their defence, it would discourage the honest party upon the place. But after a legal prosecution there would be no need of force, for I believe they will not add rebellion to all their former extravagances. Yet, put the case they should, they will know and fear, for what is already committed, that his Majesty will put them out of his protection, and command all the Governors of his foreign plantations to seize their ships, and deny them further to trade, without which they cannot at all subsist. As to the apprehensions of their joining with the French, they have so great

Randolph's reports to the home government. April 16.

Scotch rebels, and knew all about the death of the Archbishop of St. Andrew's, and that when he [Branson] would have arrested him at Boston, the Magistrates protected him." (Colonial Papers, &c.)

[1] The other Secretary of State was now Edward, Lord Conway, who succeeded Lord Sunderland in that office March 9, 1681.

[2] This was at the moment a highly stimulating topic; for "the factious party" in England was that which had just now been defeated on the Exclusion Bill. See above, p. 256.

a pique against them that they want only an opportunity to dispossess them in Nova Scotia, Canada, and Newfoundland."[1]

He presently followed up this report with another more full. In it he represented that the reduction of New England to a strict dependence on the home government, and to the immediate authority of a General Governor,[2] would have beneficial consequences. 1. It would confirm the allegiance of the other Colonies; 2. It would secure New England against danger of foreign invasion; 3. It would make its commerce more serviceable to other plantations; 4. It would provide the King with increased resources in respect to men and provisions; 5. By causing an increased population, it would tend to an enlargement of the supplies of naval stores; 6. "It would make all other his Majesty's plantations quiet; . . . . . and lastly, this would absolutely dissolve and cut off all correspondence betwixt the fanaticals at home and the factious party in that country, which was still maintained; and, upon the opinion that New England would be a good retreat for them, the discontented had highly valued themselves, and were proud in their numbers." April 30.

"His Majesty," continued Randolph, "can never expect a more convenient opportunity for settling the country than what at this time doth present; for now the other Colonies, formerly their confederates, are fallen off, not longer enduring their encroachments in respect of boundaries, nor their impositions lately laid upon the produce of their several Colonies by the General Court at Boston. Neither do they find it reasonable to be involved in the mischiefs which they believe may be the consequence of

1 Colonial Papers, &c.

2 Probably it was after becoming acquainted with the reaction that had now taken place in England (see above, p. 257), that Randolph thus changed his mind as to the prudence of sending out a General Governor to America.

such and so often repeated disloyalty. Besides, the very Colony is divided in itself; for the Governor, one part of the Magistrates, with the ministry, are willing and have all along voted for a dutiful submission to his Majesty's commands, as by their petition in 1666 doth appear; another party of them, inconsiderable in estates or repute, exceeding in number only, over-vote the Governor, &c., in all public meetings, accounting him and that party betrayers of the liberty of the country granted by charter, which is one great cause of the unhappy misunderstanding betwixt his Majesty and that Colony. However, they all agree that the inhabitants shall be taxed to raise nigh £5,000 to defray the purchase of the Province of Maine, and the expenses of their late agents in England, besides to defray the growing charge of Mr. Danforth's expedition, and maintaining a garrison of soldiers to secure the allotment of land which Mr. Danforth and others of the magistracy have made to themselves out of the Province of Maine, for the purchase whereof neither they nor any person in public office in that Colony have expended one penny; which, with a law for laying an excise upon all living stock brought out of the other Colonies to that of the Massachusetts, hath so incensed the people, that at my coming away they were in very high discontent, and expect, after so many complaints, and the late opposition made by a party in the magistracy against his Majesty's laws in open Court, that at least a regulation of the government may follow; otherwise nothing remains for them but to leave the place, which cannot be done but with their apparent ruin. No ship or force is required to the effecting what is already proposed."

He specifies the following as "the methods by which a complete conformity may undoubtedly be expected":—

"1. The Attorney-General to bring a *quo warranto* against Massachusetts, and a *distringas* upon the Province of Maine.

"2. A commission under the great seal to be directed to the present Governor, Mr. Stoughton, Mr. Dudley, Major-General Denison, Mr. Bulckley, Major Savage, Mr. Pynchon, Mr. Saltonstall, Jr., all in the present magistracy; and Mr. Shrimpton, Mr. Wharton, Mr. Kellond, or Mr. Sheaf, and Mr. Wait Winthrop, (men of good estates, and very well esteemed in the Colony,) to be joined with them to settle a temporary government like that in New Hampshire, with instructions, &c., until a final determination be had in this matter.

"3. A declaration to be made of general pardon, liberty of conscience, and security of property.

"4. No law or tax (except in cases of invasion, &c.) to be of force, except by his Majesty's consent or allowance."

5. Gorges's magistrates, "displaced by the Bostoners," to be restored in Maine.

"All which proposals, as preliminaries," Randolph concludes, "if his Majesty be pleased to direct and commit to my conduct, I do not question but to give a satisfactory account; and then, upon my advice thereof to England, no man is so fit to undertake the entire settlement and uniting all the small Colonies and governments in one as my Lord Culpepper, whose great services in reducing Virginia, and honorable deportment in New England during his stay there, hath gained to his Lordship a mighty respect amongst all good men there; and, had his Lordship brought with him but instructions tending to any sort of regulation of their governments, I question not but, in the time of his Lordship's being upon the place, he might have effected the design with ease and success."[1]

At the General Court for Elections in Massachusetts, held two months after Randolph's departure, the objec-

[1] Colonial Papers, &c. — This memorial is dated at "Whitehall"

tions presented by the King's law officers against the local laws were considered; and it was determined to repeal the laws "against keeping Christmas," and for punishing with death Quakers returned from banishment; and to amend those relating to heresy, and to "rebellion against the country." As if to take away from these changes the appearance of being made under coercion, other amendments, with which the British government did not concern itself, were adopted at the same time. The form of oaths and commissions for commanding officers of regiments was amended; the crime of the "rebellious son" was newly defined; and highway robbery was constituted a capital offence. It was resolved to make no change in the law "about marriage," or in the law "touching walking in the fields and streets on the Sabbath day."[1]

Revisal of the laws of Massachusetts. May 11.

The only other matter transacted at this Court, relating to the controversy with the home government, was the despatch of a letter to Sir Lionel Jenkins, in answer to the King's letter brought by Mason in the preceding autumn. The Court said that they had "carefully perused their whole book of laws," with reference to the exceptions taken by the Attorney-General and the Solicitor-General, and had "made a considerable progress towards a conclusion"; and that they had "published his Majesty's pleasure to those villages

June 3.

[1] Mass. Rec., V. 321, 322; comp. 303.

The question about the red cross in the flag, which of old had occasioned so much trouble (see above, Vol. I. pp. 426, 427, 430), was revived about this time. Judge Sewall wrote in his Diary: "May 2 [1681]. Had discourse about putting the cross into colors. Captain Hall opposed, and said he would not till the Major [Denison] had it in his. Some spoke with the Major, it seems, that afternoon, and Mr. Mather was with him, who judged it not convenient to be done at this time. So is a stop put to it at present."

Again: "July 11, Captain Walley, instead of having no cross at all, as I supposed, had it unveiled..... Captain Henchman's company and Townsend hindered Captain Walley's lodging their colors, stopping them at the bridge."

of the Colony on the south of Merrimac, some part whereof Mr. Mason made his pretensions unto." The question about sending agents to England, agreeably to the King's peremptory order, was that which embarrassed them most. They wrote that they "found it no easy matter to prevail with persons in any degree qualified to undertake such a voyage at this time; and, though several elections had been made, they had not as yet obtained the consent of any." The seas, they said, were dangerous. Some of their countrymen had been captured by the Algerines;[1] and, should the agents whom they might send be taken by those pirates, there was "cause to believe their ransom would be so high that it would be hard to procure it amongst a poor people yet laboring under the burdens of the arrears of the late war with the Indians, and other extraordinary charges not yet defrayed." They "the rather hoped for his Majesty's pardon herein, for that they understood his Majesty's time to be still taken up in those weighty affairs (especially relating to the horrid and execrable Popish plot) which were the chief occasion of the dismission of the former agents."[2]

Delay in sending agents.

The record of the next General Court contains no reference to these affairs. They had not been presented anew by any message from England, and the Court was not inclined to volunteer any action in respect to them. But, as winter approached, Randolph appeared again at Boston.[3] He now came invested with an additional power of annoyance. Blathwayt, Clerk of the Lords of the

October 12.

Return of Randolph from England. December 17.

1 This was on their voyages to Spain and Italy with cargoes of fish, staves, tobacco, sugar, and rum.

2 Mass. Rec., V. 311–331; comp. Hutch. Coll., 528–530.

3 "December 17; Foye arrives, in whom Mr. Randolph, and his new wife and family. 25; they sit in Mr. Joyliffe's pew, and Mrs. Randolph is observed to make a curtsey at Mr. Willard's naming Jesus, even in prayer-time." (Diary by Samuel Sewall.)—December 17, "I [Randolph] arrived again at Boston, in New England, with

1680. May 19. Committee, had been commissioned by the King to be his "Surveyor and Auditor General of all his revenues arising in America";[1] and by him Randolph had been appointed and commissioned "to be his Deputy and under-officer within all and any of the Colonies of New England, his Majesty's Colony of New Hampshire only excepted."[2]

1681. October 15.

He brought yet another letter from the King. This important paper comprehended a careful survey of the whole controversy. It charged the Colonists with having, "from the very beginning, used methods tending to the prejudice of the sovereign's right, and their natural dependence upon the crown." It recited the proceedings under the *quo warranto* in the tenth year of King Charles the First. It complained of the protection that had been afforded to the fugitive judges of that monarch; of the hard treatment dealt to Quakers and others, who had been denied an appeal to the English courts; of the ousting of Gorges and Mason from their estates, and the alleged usurpation of Massachusetts over the Eastern country; of the opposition to the Commissioners sent to New England by Lord Clarendon; of the offences more recently brought to light, as illegal coining of money, violations of the laws to regulate Trade and Navigation, and legislative provisions "repugnant to the laws of England, and con-

Peremptory letter from the King. October 21.

his Majesty's commission appointing me Collector; but the commission is opposed, being looked upon as an encroachment upon their charter." (Mass. Arch., CXXVII. 219.) His activity had been stimulated (May 30) by the doubling of his salary, which now stood at £ 200. (Colonial Papers, &c.) On a complaint of his, ten Massachusetts ship-masters and three of Rhode Island were cited (August 11) to appear before the Privy Council, he having prosecuted them in New England, and "not obtaining justice." (Journals of the Privy Council.) In a parting letter to him from "Whitehall, the 22 October, 1681," Blathwayt wrote: "At Boston you have but one rock to avoid, which you ought to be aware of; I mean, the letting them come within you, after which they will easily give you the Cornish hug." (Mass. Arch., CVI. 246.)

[1] Mass. Rec., V. 521 – 526.

[2] Ibid., 526 – 529.

trary to the power of the charter"; of the pertinacious disregard of the royal command for an appearance of the Colony by agents, which continued to be evaded under "some frivolous and insufficient pretences"; and, finally, of the offensive obstructions which had been placed in the way of the Collectors of the Customs. The peremptory conclusion of the letter was as follows: —

"These and many other irregularities, crimes, and misdemeanors having been objected against you (which we hope nevertheless are but the faults of a few persons in the government), we find it altogether necessary for our service, and the peace of our Colonies, that the grievances of our good subjects be speedily redressed, and our authority acknowledged, in pursuance of these our commands, and our pleasure at divers times signified to you by our royal letters and otherwise; to which we again refer you, and once more charge and require you forthwith to send over your agents fully empowered and instructed to attend the regulation of that our government, and to answer the irregularity of your proceedings therein. In default whereof, we are fully resolved, in Trinity Term next ensuing, to direct our Attorney-General to bring a *quo warranto* in our Court of King's Bench, whereby our charter granted unto you, with all the powers thereof, may be legally evicted and made void. And so we bid you farewell," &c.[1]

Here was matter for serious thought; the more so, as the King's restoration to unrestricted power was now known in Massachusetts.[2] The General Court assembled, and listened to the reading of the King's letter; of Randolph's commission as Collector; of the King's "patent to William Blathwayt, Esq., for constituting him to be Auditor and Surveyor General"; and of "Mr. Blathwayt's deputation to Mr. Randolph." They agreed upon an Address to the King, of

Proceedings in Massachusetts. 1682. February 15

1 Chalmers's Annals, 443–449.

2 See above, p. 258.

which the principal import was, to entreat his longer forbearance; to inform him that, in compliance with his "commands in several letters," they had "despatched their worthy friends Joseph Dudley and John Richards"; and to place in a favorable light their proceeding in the purchase of Gorges's property in Maine. They ordered that the Acts of Trade and Navigation should "be forthwith published in the market-place in Boston by beat of drum, and that all clauses in said acts relating to this plantation should be strictly taken notice of and observed." They constituted *Naval Officers*, one for Boston, the other for "Salem and adjacent ports," to be commissioned by the Governor, and to exercise powers of a nature to control the Collector appointed in England. They repealed their laws under the titles *Conspiracy* and *Rebellion*, and directed a substitution of the word *jurisdiction* for "the word *commonwealth*, where it imported jurisdiction." They revised their law of treason so as to read as follows: "If any man conspire and attempt any invasion, insurrection, or public rebellion against the King's Majesty, his government here established, or shall endeavor to surprise any town or towns, fort or forts therein, or shall treacherously and perfidiously attempt the alteration and subversion of our frame or polity of government fundamentally, he shall be put to death."[1]

Despatch of agents to England.

Danforth, who had come from Maine, as was his custom, to take his place in the General Court, was now chairman of the committee for preparing instructions for the agents.[2] He took care that Dudley (whom no man knew better), and his easy colleague, should be carefully limited as to the exer-

[1] Mass. Rec., V. 333 – 339.

[2] Ibid., 339. — Nearly a year had now passed since the election of Nowell and Richards to be agents. Nowell had declined the trust, as Stoughton had done before. (Mass. Arch., CVI. 232.) When, in May, 1681, a new election was proposed, the Deputies, on their part, again chose Nowell and Richards, but the Magistrates non-concurred as to the former. (Ibid., 236, 253.)

cise of a discretion so liable to abuse.[1] As to the coining of money, they were directed to ask the King's pardon for the past, and, for the future, his "gracious allowance therein, it being so exceedingly necessary for civil commerce." They were to represent that there was no colonial law "prohibiting any such as were of the persuasion of the Church of England"; that the "severe laws to prevent the violent and impetuous intrusions of the Quakers" had been suspended; that, "as for the Anabaptists, they were now subject to no other penal statutes than those of the Congregational way";[2] and that "the law, restraining freemen to church-members only, was repealed." They were to give assurance "that the Acts of Trade, so far as they concerned the Colony, should be strictly observed, and that all due encouragement and assistance should be given to his Majesty's officers and informers that might prosecute the breaches of said Acts of Trade and Navigation." To any project for "appeals to his Majesty and Council in cases concerning his Majesty's revenue," they were to object, that there was "cause to fear it might prove extremely burdensome, and, as it

1 In the contest between the parties that divided the General Court, the adoption of the ballot in the election of agents indicates that members of what proved to be the more numerous party were disinclined to expose themselves to popular criticism. "The whole Court met [March 20] and voted together by papers for agents to go and wait on his Majesty, &c.; and, on the scrutiny, William Stoughton, Esq. was chosen for one with 21 votes, and Joseph Dudley, Esq. was chosen for the other by 18." (Mass. Rec., V. 346.) When this General Court assembled in the previous May, 51 members were present. (Ibid., 308.) And if, at the session when the agents were elected, the bad weather of February and March reduced this number by one third, the 18 votes which chose Dudley were a bare majority. Stoughton persisted in declining the service, and John Richards was chosen in his place; by what vote is not recorded. (Ibid., 346.)

2 Literally, this was true. But, as late as the spring of 1680, the General Court forbade the Baptists to assemble for their worship in a meeting-house which they had built in Boston. (Mass. Rec., V. 271; see above, p. 92.) The fact, however, that the building of it had not been interrupted, suggests that this order was rather a matter of form, adopted perhaps in deference to the zeal of the country Deputies.

might be improved, intolerable, should it be admitted." They were to expose the vexatious injustice of Robert Mason's present exorbitant claim, and to "give his Majesty a true relation of the proceedings with reference to the settlement of the government of the Province of Maine, according to the charter granted to Sir Ferdinando Gorges." "We do not understand," — so the General Court informed their messengers, — "that any alteration of the patent is intended. You shall therefore neither do nor consent to anything that may violate or infringe the liberties and privileges granted to us by his Majesty's royal charter, or the government established thereby; but, if anything be propounded that may tend thereunto, you shall say you have received no instruction in that matter, and shall humbly crave his Majesty's favor that you may not be constrained to make answer thereto."[1]

Randolph's active hostility to the Colony.

It was not to be supposed that such proceedings of the General Court would assuage the hostility of Randolph. His sense of them was expressed in a paper which he entitled "Articles of High Misdemeanor exhibited against a Faction in the General Court."[2] He accused that faction, headed by the Deputy-Governor, and consisting of several Magistrates and Deputies whom he named, of refusing "to declare

[1] Mass. Rec., V. 346 – 349. — The "new pretended claims" of Mason, which the agents were to resist, extended along the coast to Naumkeag River; that is, to within fifteen miles of Boston. (See above, Vol. I. p. 204.) The Court sent to England a remonstrance of "the inhabitants of Gloucester, *alias* Cape Ann, and other parts adjacent," against these claims. (Mass. Rec., V. 334.)

[2] See Hutch. Coll., 526 – 528. The full title is, "Articles of High Misdemeanor exhibited against a Faction in the General Court, sitting in Boston, 15th February, 1682; namely, against Thomas Danforth, Daniel Gookin, Mr. Saltonstall, Samuel Nowell, Mr. Richards, Mr. Davy, Mr. Gidney, Mr. Appleton, Magistrates; and against John Fisher, Elisha Cooke, Thomas Brattle, Anthony Stodder, Bathurst, Hathorne, Wait, Johnson, Hutchinson, Sprague, Oakes, Holbrook, Cushing, Hammond, Pike, Deputies, &c." — Hutchinson copied this document from a transcript in the Massachusetts Archives.

and admit of his Majesty's letters patent . . . . . creating an office of Collector, &c. of his Majesty's Customs in New England"; of withholding the payment to him of "several sums of money which he was forced to deposit in court before he could proceed to trial of causes relating to his Majesty's concerns"; of obstructing him by the revival of a law which constituted a colonial Naval Officer; of usurping, in the General Court, judicial powers confined by the charter to the Governor and Assistants; of neglecting to repeal their laws "contrary to the laws of England"; and of disregarding the King's letters patent "creating an office of Surveyor and Auditor General of his Majesty's revenues arising in America."

Several letters written at this time by Randolph to important persons in England have been preserved, and are instructive in the highest degree as to the state of affairs in Massachusetts, and the foreign dangers which beset that Colony. "They are resolved" — so he informed Sir Lionel Jenkins — "to prosecute me as a subverter of their government. If they can by any means, they will take my life. . . . . Friday next I am to be examined; imprisonment is the least I expect. . . . . The Governor, who is an honest gentleman, but very much in years, and some of the Magistrates, oppose those heady practices, what they can. . . . . Bringing a *quo warranto* against their charter may save my life, and reform this government. I humbly beseech your Honors by a speedy despatch to have these two laws in the enclosed printed papers declared null by Order in Council, and sent over hither by several ways of shipping, lest they miscarry and I am lost. The distance of place, and hopes of troubles at home, with the many scandalous papers sent hither for the benefit and comfort of the ill-affected, make this party thus daringly presume."[1] April 11.

[1] Colonial Papers, &c. — In this letter Randolph says, that the government levy fines amounting to more than £400 a year; that the customs

The record of the General Court held for elections in the spring contains no reference to the embassy to England, except the appointment of a day of fasting to pray for its happy issue.[1] Fortified with a deprecatory letter from Bradstreet to Sir Lionel Jenkins,[2] the agents sailed while the Court was still in session.[3] By the vessel which carried them out, Randolph wrote to the Bishop of London, advising that a part of the funds of the Society for Propagating the Gospel among the Indians should be seized and appropriated to the support of the worship of the Church of England in Boston. "Necessity, and not duty," he informed the same correspondent, "hath obliged this government to send over two agents to England. They are like to the two Consuls of Rome, Cæsar and Bibulus. Major Dudley is a great opposer of the faction here, ... who, if he finds things resolutely managed, will cringe and bow to anything. He hath his fortune to make in the world; and if his Majesty, upon alteration of the government, make him Captain of the Castle in Boston and the forts in the Colony, his Majesty will gain a popular man and oblige the better party. . . . . If commanded, I will readily pass the seas to attend at Whitehall, especially if Danforth, Gookin, and Nowell, Magistrates, and Cooke, Hutchinson, and Fisher, members of

May 31.

May 29.

amount to as much more; that "the excise was, not two years ago, at £800"; and that "they raise yearly about £1600 in rates upon Boston, which bears the third part of the whole Colony." This last statement is very striking, whatever allowance should be made for exaggeration. — "March 10, 1682. A law revived by the Assembly to try me for my life, and for acting by his Majesty's commission before it was allowed by them. His Majesty's commission not allowed to be read openly in Court. My deputies and under-officers imprisoned for acting by virtue of his Majesty's commission." (Randolph's memorandum in Mass. Arch., CXXVII. 219.)

[1] Mass. Rec., V. 371.

[2] Mass. Arch., CVI. 261.

[3] They were authorized (May 5) by a Committee of the General Court, if they could "improve any meet instrument," — that is, if they could find somebody to bribe, — to borrow £1000 for that purpose. (Colonial Papers, &c.)

their late General Court, and great opposers of the honest Governor and Magistrates, be sent for to appear before his Majesty, till which time this country will always be a shame as well as inconveniency to the government at home. . . . . As for Captain Richards, he is one of the faction, a man of mean extraction, coming over a poor servant, as most of the faction were at their first planting here, but by extraordinary feats and cozenage have got them great estates in land, especially Danforth, so that if his Majesty do fine them sufficiently, and well if they escape so, they can go to work for more. . . . . My Lord, we hear the slaves in Algiers are all to be redeemed; but I boldly write it, that the settlement of this country and putting the government into the hands of honest gentlemen, some of which are already in the magistracy, and discountenancing utterly the faction, will be more grateful to us; for now our consciences, as well as our bodies, are in captivity to servants and illiterate planters." "One thing," he concluded, "will mainly help, when no marriages hereafter shall be allowed lawful but such as are made by the ministers of the Church of England."[1]

The vessel that carried this letter also conveyed a letter from Randolph to Sir Lionel Jenkins. He informed that statesman, that the colonial government, upon the news of the dissenters' being imprisoned in England, and his Majesty's bringing a *quo warranto* against the charter of London,[2] believed it now time to make their application to his Majesty by their agents." He had seized a ship "belonging to Mr. Kellon, brother-in-law to Richards, one of the agents." "I went yesterday," he wrote, "to seize a ketch, and caught such a cold that I am now in extremity with the stone and strangury. Should it please God to take me away by this or other accident, it would be accounted the blessed return of their prayers. I hope your honors will intercede with his Majesty that my wife

[1] Hutch. Coll., 531–533. [2] See above, p. 260.

and children may have recompense made them for all my losses and charges I have been at. . . . . I have broke the heart of this faction; and, if it please God to spare my life, shall prepare them to receive his Majesty's commands." He added in a postscript: "Nothing these agents promise may be depended upon, if they are suffered both to depart till his Majesty have a full account that all here is regulated as promised." [1]

[1] Colonial Papers, &c. — In this collection is a loose memorandum of part of the contents of several letters from Randolph, recording some interesting particulars of his recent experience. Writing home December 20, 1681, three days after his arrival, he had reported that he "was received coldly, and had reason to suspect they had a copy of his petition and of his articles against Mr. Danforth." "December 21, the factious party were against the Governor, and had ordered his salary to be paid in Indian corn at 3*s.* 6*d.* per bushel, which is above the market. . . . . The Magistrates had endeavored to lay aside the Court of Deputies as an innovation, but let the design fall for want of courage." January 11, 1682. By his articles against Danforth he had "given him the majority of voices to be Governor next time. The present Governor is eighty years old." He desires "a strict summons for Mr. Danforth to appear in England, as what would be convenient for the King's service." "April 10. They revived an old law making it death to endeavor the subversion or alteration of government. This was done in order to Mr. Randolph's punishment, they having a copy of his petition and of his articles against Mr. Danforth and the faction." "They talk of fortifying the islands, under pretence of fear of war with France." Danforth had administered the oath to James Russell as Colonial Naval Officer, after the Governor had refused. "The agents coming over were not agreed upon till they heard that the dissenters in England were imprisoned, and that a *quo warranto* was out against the charter of London. Dudley was an opposer of Danforth's faction. His fortune was to make. He affected popularity in case of a regulation, and if sent home to some command, a useful man would be gained." "Major Dudley would give a sight of their private instructions, said to be saucy, and to be managed by Richards." "Richards told Randolph of his [Randolph's] Narrative, Articles, and Petition, copies of which he supposed Humphreys [the Colony's attorney in England] or some other mercenary body sent them with all other private intelligence." "Boston, May 25, 1682. Yesterday, at the election, great endeavors used to make Danforth Governor. But he lost it by much."

CHAPTER IX.

Such were some of the representations that heralded the arrival of the messengers of Massachusetts in England.

The reader is aware that the politics of that Colony, in her relations to the parent country, were now embarrassed for want of the unanimity which had existed in earlier times. According as men were resolute or timorous, — according as they were aspiring for themselves or public-spirited, — to some extent, according as they were rich, or in those moderate or humble circumstances which are less liable to be disturbed by public commotion, — they looked upon the measures of the home government with different eyes. The commercial activity had brought a large influx of wealth, and the instincts of wealth incline to the side of arbitrary power. In fifty years some fortunate families — never, or else no longer, imbued with the ancient spirit of the place — had established a conventional consideration; and a sort of local aristocracy had grown up, having social affinities with the friends of prerogative in England. The tone of sentiment in such circles was more or less timid, timeserving, and sordid; and, notwithstanding the more liberal popular tendencies, it was largely represented in the Board of Assistants; for the traditional respect of the freemen for advantages of social position was great, and even under strong excitements they could not easily be brought to displace the men who, with personal dignity and the associations of consequence which grow with length of possession, had occupied the high seats of power.

Parties in Massachusetts.

The moderate party.

This *moderate* party, as it was called, received important support from a class of men who commonly had no direct share in the government. In Boston, and to some extent in the smaller commercial towns, there were now native Englishmen, who had been invited over by the prospect of successful business. Generally they did not become members of churches, or freemen of the corporation. They were but sojourners. They had brought their goods and their talents to a profitable market. In their interests and their prejudices they were still narrow Englishmen. They were active and loquacious on the exchange, and they maintained a certain place in society by costly living. It was a matter of course, that whatever influence they could exert was thrown into the scale of the party which was most obsequious to the usurpations of the King.

The clergy.

From a much more important class of men the moderate party in the government now derived some degree of strength. The clergy no longer stood up for the chartered rights of Massachustts with the same undivided front as in former times. The political schism in their ranks was not yet very apparent; but it was sufficient, and sufficiently well known, to damage the cause of the patriots. The social, and even the domestic, relations of the clergy with those prominent families which were represented in the wavering Board of Assistants, were intimate. Their own consideration appeared in some measure to be due to the credit thus reflected upon them. The legal arrangements for the religious establishment caused the liberality of the provision made for them to depend not a little on the goodwill of leading men;[1] and a standing order of clergy is always morbidly alive to the danger of popular imprudence. The ancient spirit of the clergy of Massachu-

[1] Especially was this the case in Boston, where the ministers were maintained by voluntary contributions. See above, Vol. II. p. 39.

setts was by no means extinct. But it was already enfeebled by hesitation, uneasiness, division, and distrust.[1]

The popular party.

The strength of the popular party was in the House of Deputies, where the municipal corporations were represented on a basis of substantial equality with one another. The interior towns were less affected by those influences which disturbed the ancient relations of things in the busy marts along the seaboard. In these quiet neighborhoods, the primitive principles and manners prevailed in unbroken severity. The sense of danger from any violence on the part of England was not brought home to hamlets which could only be invaded by means of toilsome marches through the woods. The cruel sufferings of the recent war had elevated the tone of public spirit, and enhanced the sense of the worth of those privileges, which, having been defended against savage assault, were now threatened again by a pagan king on the other side of the ocean.

Of the popular party, Danforth, the Deputy-Governor, a man of excellent abilities and virtue, was the acknowledged head. With him were Gookin, Nowell, Saltonstall, Gidney, and others among the Magistrates, and numerous prominent names among the Deputies, as Cook, Brattle, Hathorne, Wait, Hutchinson, and Pike.

1 The position of William Hubbard, minister of Ipswich, has been referred to. (See above, p. 153, note; comp. Mass. Hist. Coll., X. 35.) — The General Court, feeling bound for some reason, probably in consequence of an application from Stoughton, to take notice of Hubbard's "History of New England," had, in 1679, raised a committee "to peruse the same, and make return of their opinion thereof to the next session, that the Court may then, as they shall then judge meet, take order for the impression thereof." (Mass. Rec., V. 279.) But the perusal does not appear to have inspired them with admiration for the work; for they took no "order for the impression thereof," though, after three years, they civilly thanked the writer, and gave him a gratuity of fifty pounds. (Ibid., 378.) The narrative is brought down to the year 1682; but it contains no mention whatever of Randolph's operations, which for six years had constituted the most important feature of New England history.

Denison, Major-General of the Colony, had been prominent in the moderate party, but he was now infirm, and died soon afterward. Its most considerable names were those of the Governor, Bradstreet, and of Stoughton and Dudley, Assistants. The Governor's ordinary understanding, and feeble and irresolute temper, gave him the equivocal consequence often possessed by those whom all parties commend, or forbear to oppose, because each party hopes, if they are advanced to power, that it will be able to rule and use them. Stoughton, a rich atrabilious bachelor, — not unconscientious after his own dreary manner, — was one of those men, to whom it seems to be a necessity of nature to favor oppressive and insolent pretensions, and to resent every movement for freedom and humanity as an impertinence and affront. His unhesitating and stubborn absolutism might be relied upon to sway the course of the apprehensive and pliant Governor.

1682. September.

Bradstreet, Stoughton, and Dudley.

But Stoughton's power was that of a dogged will, and not of a superior understanding. The ruling spirit of the moderate party was Joseph Dudley, a name sadly famous in New England history. Dudley had come forward into public life under all favorable auspices. Born of Thomas Dudley, the second Governor, there was scarcely in New England a more distinguished parentage than his. He received the best education of the time at Harvard College, under President Chauncy. His position was strengthened by the domestic alliances of his family. One of his sisters married Governor Bradstreet, and another married General Denison; his wife was daughter of Edward Tyng. He was early a member of the House of Deputies,[1] became an Assistant when he was scarcely thirty years old, and in the next year, having been meanwhile charged

1673. 1676.

[1] Mass. Rec., IV. (ii.) 550.

with an important trust in Philip's war,[1] was associated with Danforth in the high office of Commissioner of the United Colonies. The latter appointment was renewed to him by several successive elections, and he was continued in the Magistracy almost as long as the government lasted. He was made Sergeant-Major (or actual commander-in-chief) of the militia of Suffolk County,[2] and from time to time was invested with various temporary trusts of a responsible and honorable character.[3] Thus, by the favor and confidence of his fellow-citizens, laid under obligations of gratitude, and at the same time armed with a power and brought under a temptation to harm them by treacherous conduct, it remained for time to show which part he would elect. Already, however, it appeared to right-minded observers, that his intimacy with Bradstreet was inauspicious to the public welfare. The Governor's well-merited reputation for uprightness screened the equivocal conduct of his friend, while Dudley's dexterity in affairs now made up for, and now used, the clumsiness of the more responsible actor. 1677.

The quarrel between the government and Randolph was not suspended by the departure of the agents. The Deputies took some strong part in it, the precise nature of which is not recorded. The fact appears from subsequent action of theirs in relation to a vote of the Magistrates cautioning Randolph to behave more circumspectly in future, under pain of their serious displeasure; with which vote the Deputies refused to concur, explaining that, in their judgment, the occasion called for a more vigorous measure of rebuke proposed by themselves.[4] To combine energy in action with suavity in manner was no study of Randolph's. Rather it might seem that he aimed by in- 1682. June 1.

1 See above, p. 157, note 2.
2 Mass. Rec., V. 306.
3 Ibid., 23, 40, 238, 436.
4 Mass. Arch., CVI. 262.

decencies to provoke his opponents to indiscretion. He lived in a perpetual broil.[1]

Meanwhile he diligently pursued his object by correspondence with the English courtiers. "I heartily congratulate," thus he wrote to the Earl of Clarendon, "the happy return of his Royal Highness, my gracious master, to Whitehall, the news whereof, and of his Majesty's bringing *quo warrantos* against several charters in England,[2] and of Mr. Cranfield's being constituted Governor of New Hampshire,[3] puts the faction in a great perplexity. . . . . I am confident, if his Majesty had been pleased, at the same time he made Mr. Cranfield Governor, to bring a *quo warranto* against their charter, and make him Governor of this Colony, they would thankfully receive him, especially upon declaring liberty of conscience in matters of religion; but, so long as their charter remains undisturbed, all his Majesty saith or commands signifies nothing here. The Governor is very much troubled that the faction will not hearken to reason. He endeavored to have their Naval Office[4] (set up in opposition to my letters patents) taken away this General Court, and have all the acts of Parliament relating to trade declared and published; but the faction are resolved to do nothing to oblige the Governor, or answer his Majesty's expectations. His Majesty's *quo warranto* against their charter,

Randolph's letters to England from Boston. June 14.

[1] There is extant an account of a scene between Elisha Hutchinson and Randolph on the exchange of Boston in June, 1682. Randolph complained of having been unjustly "rated." After some less angry words he said, "Seven men may cut a man's purse on the highway." "I replied," says Hutchinson, "'Such a knave as you may cheat twenty men.' He said, 'Who are you?' I replied, 'A man.' He said, 'When you have your buff coat on.' I replied, 'As good as you with your sword on.' He said, 'You are no commissioner here.' I said, 'I have as good a commission as you; my staff is as good a commission as your sword.' He said, 'Would I had you in a place where I could try it.' I replied, 'Try now.' On which he went away and left me." (Mass. Arch., CVI. 263.)

[2] See above, pp. 259, 267.

[3] See below, p. 407.

[4] See above, p. 352.

sending for Thomas Danforth, Samuel Nowell, a late factious preacher and now a Magistrate, and Daniel Fisher and Elisha Cooke, Deputies, to attend and answer the articles of high misdemeanor I have now exhibited against them, ... will make the whole faction tremble. I was very much threatened for my protest against their Naval Office, but it was at a time when they heard of troubles in England; but since, I am very easy, and they would be glad to hear no more of it. His Majesty commanded them to repay me the money they took from me by their arbitrary orders, which the faction would not hear of; I have therefore arrested Mr. Danforth for ten pounds, part of that money, and their Treasurer, Mr. Russell, for five pounds due to me for a fine, and I am to have a trial with them."

It is to the last degree improbable that the second Lord Clarendon had any particular acquaintance with the condition of New England. His ignorance on that subject invited misrepresentation; and Randolph, who, when he was arguing for a rigorous revenue system, had grossly exaggerated the resources of the country in men and property, now described it to the King's minister as being too poor to be capable of presenting any obstacle to the simple expedient of imposing upon it a Governor-General. "By a certain *deceptio visûs*," he wrote, "these people have been represented to his Majesty as a very dutiful and loyal people; that they are a great people, and can raise great forces; besides, that they have been at vast charges and expenses in subduing a wilderness, and making a great country, without any charge or expense to the crown. It's true there are many loyal subjects here, but few in any places of trust. Their forces are very inconsiderable, more for show than service. I will engage, with five hundred of his Majesty's guards, to drive them out of their country. And for their expenses, I know very few now living, nor their children,

who were at that charge. Mr. Dudley, one of the present agents, was one of the first planters, and a gentleman; came over with a good estate;[1] but the first adventurers are either all dead, and their children drove out of all by their fathers' servants, or else so few and inconsiderable that no notice is taken of them; and as for all the persons joined and concerned in the faction here, I know but one man who was not a servant, or a servant's son, [among those] who now govern their Governor and the whole country."

These were simply the wantonnesses of a dishonest man.[2] The reader is too well acquainted with the actual condition of Massachusetts to be willing to be detained by an exposure of them. Massachusetts certainly was not powerful enough to contend with the now compact power of England; but her inconsistent maligner was himself not without apprehension that she might be rash enough to throw down her glove, and that he might be the first sufferer in the conflict; and it was upon the domestic divisions which he was fomenting, that he placed his main reliance for a quiet issue. "If the party were so considerable as to revolt," he wrote, "upon his Majesty's resolution to settle this plantation, as hath been sometimes suggested, their first work would be to call me to account for endeavoring openly the alteration of their constitution; which, by their law, is death. But they dwindle away, and are very much divided, Magistrate against Magistrate, the one hoping, the other fearing, a change. My Lord, I have but one thing to remind your Lordship, that nothing their agents can say or do in England can be any ground for his Majesty to depend upon. Be pleased to remember, from the time your

[1] Dudley was no planter at all. He was born in Massachusetts, when his father had been here fifteen years.

[2] Randolph, while he now wrote, forgot a good deal of what he had reported six years before. See above, p. 296 *et seq.*

Lordship's honorable father, the late Lord Chancellor, engaged with their agents in 1662, who undertook and assented to everything his Lordship proposed for his Majesty's honor and the benefit of his subjects here inhabiting, nothing but open contempt of all his Majesty's commands, with small evasions and tricks, have followed, and worse may be daily expected. . . . . My Lord, one unhappy, if not wilful, mistake hath very much promoted these mischiefs. His Majesty hath been represented to this people very low in his treasury, unable and unwilling to give them any disturbance, though never so much provoked to it; which is here believed, when to this day their contempts put upon his Majesty's commission and commissioners in 1664, (his Majesty not calling them to account for refusing to send over Bellingham and Hathorne, when commanded upon their allegiance to attend at Whitehall by his Majesty's letter of 1666),—no, not so much as the least notice taken of it in any of his Majesty's letters at any time since to this government."[1]

He addressed himself at the same time to Jenkins, the junior Secretary of State. "Their last agents," he wrote, referring to Stoughton and Bulkely, "at their return home, brought to account above four thousand pounds, part of which money was disposed of to persons then in a great station at court; by whose assistance, together with the Attorney-General, Sir William Jones, their coun-

1 Hutch. Coll., 534 – 538. — A few periods at the beginning of this letter afford some interesting hints respecting the action of the times.

"Our agents are sailed from here about a fortnight ago. We hear Major Dudley, one of them, is very sick of a fever, and not like to hold out the voyage. Mr. Richards, the other, one of Danforth's faction, and a great opposer of the Governor, will, upon Major Dudley's death, have an opportunity to say what he pleaseth in defence of the several misdemeanors objected against them and their faction. They have been these two years raising money upon the poor inhabitants, to make friends at court. Certainly they have some there, too nigh the council-chamber; otherwise they could not have copies of my petition against their government, my articles of high misdemeanors against Danforth, and now of Mr. Cranfield's instructions and negotiations in the Province of New Hampshire."

sel, they avoided the alteration then intended by his Majesty to be made in their government. ..... Endeavors are still used by the fanatics at home to keep up the minds of this faction by sending over hither all sorts of scandalous papers, as the first, second and third parts of 'No Protestant Plot,' and several papers in vindication of my Lord Shaftesbury, and Captain Wilkinson's information relating to my Lord Shaftesbury.[1] But the news of his Royal Highness's return to court, the prosecuting Dissenters at home, and his Majesty's sending over Mr. Cranfield to be Governor of New Hampshire, hath quite altered and loosened the party. ..... If that the agents return home with an olive-branch, (as their ministers pray in their pulpits,) that branch may prove a fatal tree to me, at present secure and very easy during their agents' stay in England; for, in respect to them, they durst do no other, which I humbly recommend to your Honor's consideration."[2]

He was delighted with the intelligence that the Bishop of London was about to send a clergyman to Boston; and he advised that the missionary selected should be "a discreet, sober gentleman." He assured that prelate that the colonial agents had carried over a "credit for large sums of money, to purchase what their promises could not obtain."[3] "Nothing," he wrote, "will so effectually settle this government on a firm dependence upon the crown, as bringing a *quo warranto* against their charter, which will wholly disenable many now great sticklers and promoters of the faction among us from acting further in a public station. ..... This independence in government, claimed and daily practised by us, is one chief occasion of the many mutinies and disturbances in other his Majesty's foreign plantations. ..... We could raise a sufficient maintenance

July 14.

[1] See above, p. 259; State Trials, VIII. 761 – 764.

[2] Colonial Papers, &c.

[3] See above, p. 356, note 3.

for divers ministers out of the estates of those whose treasons have forfeited them to his Majesty."[1]

His impatience became every day more uncontrollable. Writing to an English friend, probably the Secretary Jenkins, he bewailed the helpless condition in which he found himself. "Divers persons," he said, "who gave me information, and readily assisted me in making seizures, are so discouraged by their unjust proceedings against my deputies and others, that I can get no man to my aid abroad, or to appear as evidence for his Majesty in court or before a magistrate. ..... Now his Majesty's letters are no more regarded than Gazettes. ..... It 's not in the power of the Governor and those few honest gentlemen in the government to give his Majesty satisfaction, being over-voted and run down by Mr. Danforth and his party."[2] August 7.

In England, where the agents arrived after a tedious passage of nearly twelve weeks,[3] they lost no time in approaching the Privy Council. Taking up consecutively the various charges that had been made against their constituents, they represented, in an elaborate paper, that the delay in their appearance had been occasioned by the danger of the voyage and the poverty of the Colony, which, at the time when the command was issued, was in debt to the amount of twenty thousand pounds sterling for August 20. Proceedings of the agents in England.

1 Hutch. Coll., 538 – 540.

2 Colonial Papers, &c. — Randolph's letters ring endless changes on a few topics. "I humbly beseech your Honor's pardon," he writes, "if, according to the custom of the place, my papers are guilty of repetition." He compares "the faction whereof Mr. Danforth is the chief" to "the late Rump in England." "In very plain cases," he says, "I am cast by the jurors, who, upon the Lord Shaftesbury and others being cleared at the Old Bailey, take the like confidence, and are as arbitrary here." (Ibid., under the date of November 13.)

3 Mass. Arch., CXXVII. 218. — Richards, immediately on arriving, wrote to Increase Mather: "We are represented such a people as need great regulations. I fear, if mercy prevent not, the dissolution of our government is intended." (Letter of August 21, in the Prince Collection of MSS. in the Library of the Mass. Hist. Soc.)

the expenses of the recent war; that there was no law or custom in Massachusetts preventing the use of the English liturgy, or the election of members of the Church of England to office; that the ancient number of eighteen Assistants had been restored, agreeably to the royal command; that all official persons took the oath of allegiance; that military commissions and judicial proceedings were in the King's name; that "all laws repugnant to, or inconsistent with, the laws of England for trade were abolished"; that Randolph's commission had been recognized and enrolled, and that he and his subordinates had been subjected to no penalties but such as were needful "to the providing damages for the officers' unjust vexing the subjects"; and that, in Massachusetts, the Acts of Trade and Navigation had "been fully put in execution, to the best discretion of the government there." They restated in full the position of their Colony in relation to the claims of Gorges and Mason, and they concluded by expressing the hope that the demand for appeals to the King "in matters of revenue" might be reconsidered.[1]

But the time had gone by when an effort of this nature could be of any avail, had it been much more hearty than, on the part of the principal agent, it was. The design of the King and his counsellors to crush Massachusetts had been matured. The agents submitted their commission to Sir Lionel Jenkins, and were presently informed, as the unanimous decision of the Privy Council, that they must remain for the present in England, and that, unless they obtained further powers without delay, the Colony would be proceeded against by a *quo warranto* at the next term of the Court of King's Bench.[2] The courtiers were angrily in earnest, and an order was

September 20.

December 20.

[1] This important document is in Chalmers's Annals, 450–461.

[2] Journals of the Privy Council.

sent to Randolph to return to England, and give his aid in the prosecution of the writ.[1]

The meeting of the General Court in the autumn was too early for any intelligence to have arrived of the reception of the agents. But in the middle of the winter came "a letter from his Majesty, with the act of his Majesty's most honorable Council, his Majesty being present."[2] Letters also came from the agents,[3] "with copy of Mr. Randolph's complaints to the Commissioners of the Customs." The Governor forthwith convened a General Court. After a brief conference they adjourned for five days, having arranged to keep meanwhile by themselves "a solemn day to seek the face of God, and guidance and direction from him in these weighty matters; which was done." Thus prepared, they assembled again, "and so, from day to day, were on the due consideration and debate of and about so momentous a discharge of their duty to God, his Majesty, and the concerns of the country; and, in fine, the Court centred their conclusion of duty in an humble Address to his Majesty; commission and letters to the agents; a letter to the Right Honorable Sir Lionel Jenkins; ..... with a general Address and general subscriptions of the inhabitants, directed by way of most humble petition to his Majesty."[4]

October 11.

1683. January.

Proceedings of the government of Massachusetts.

February 9.

February 13.

In their Address the General Court assured the King of their gratitude to God for the preservation of his government, "notwithstanding so many horrid treasons and execrable conspiracies against the same," and to himself "for the many marks of his princely favor," whether conferred or promised. They

March 30.

1 Mass. Arch., CXXVII. 218.

2 Mass. Hist. Coll., XXI. 72; Mass. Rec., V. 382.

3 The letters were dated September 28 and October 3. (Ibid., 391.)

4 Ibid., 382, 383. "Several Magistrates and Deputies from the southward were not able to come, by reason of the extremity of the weather by deep snows and floods."

professed their persuasion that he would not "improve any of their past errors and mistakes to the vacating of their charter, or depriving them of any of the privileges and immunities thereby granted"; their "desire not to assume unto themselves anything above the powers therein granted"; and, finally, their purpose "to make and receive all such regulations as might more fully adapt the administration of his Majesty's government among them unto the rules of their charter, in order whereunto they had capacitated their agents humbly to attend his Majesty, by empowering them, according to his Majesty's command."[1]

The new commission to the agents was broad. One clause in it indicates expressly the apprehensions which were felt respecting the fidelity of Dudley. It authorized him and his colleague "jointly and not severally" to act "for the regulation of anything, wherein the corporation had ignorantly or through mistake deviated from their charter; and to accept of and consent unto such proposals and demands as might consist with the main ends of their predecessors in their removing hither the charter, and his Majesty's government here settled according thereunto."[2] But the instructions to the agents imposed material limitations upon their power. In these they were told: "Whereas, in our commission and power sent to you, one general limitation is the saving to us the main ends of our coming over into this wilderness, you are thereby principally to understand our liberties and privileges in matters of religion and worship of God, which you are therefore in no wise to consent to any infringement of." If a liberty of appeals to England were

[1] Mass. Rec., V. 385, 386. — Before this time the General Court must have been informed of the appointment (January 4), by the King's Commissioners of Customs, of William Dyre to be "Surveyor-General of his Majesty's Customs in his several Colonies and Plantations in America." (Ibid., 530.) Dyre had come to New York with Andros in 1674.

[2] Ibid., 386, 387.

insisted on, the agents were "not to conclude the Colony by any act or consent of theirs, but to crave leave to transmit the same to the General Court for their further consideration." They were "not to make any alteration of the qualifications that were required by law, as at present established, respecting the admission of freemen." They were "not to consent to any removal [that is, to England] of the seat of the government here according to charter," nor to any alteration of "the present constitution of the General Court, consisting of Magistrates and the Deputies as the select representatives of the freemen, being, without doubt, agreeable to the patent."[1] "By order of the General Court," the agents were authorized in a private letter to deliver up to the King the deeds of the Province of Maine, if they found that such a surrender would help to save the charter. They were informed of recent further legislation of Massachusetts, in compliance with the King's wishes, as to the Navigation Laws, and for the security of his rights in mines of gold and silver, of which some discovery was said to have been made within the jurisdiction. But "the sum," wrote the General Court by their Secretary, "of all we can pray and commend unto you is, to do us all the good you can, and to endeavor the preventing all the inconveniences you may, which we doubt not but you will unfeignedly do; and the God of Heaven direct, counsel, assist, prosper, and succeed all your undertakings in this our great concern!"[2]

The Governor wrote to Sir Lionel Jenkins, confining himself to the business of Mason's claim. He said that, two months before the meeting of the last General Court, he had received, five months after its date, the letter from the King on Mason's affair, though "several copies thereof, attested by Mr. Chamberlain, Secretary of the Province of New Hampshire, were dispersed up and down

[1] Mass. Rec., V. 390. [2] Ibid.; comp. 383, 384.

some weeks, if not months, before"; that, according to instructions from the General Court, he had invited Mason to prosecute before the courts his title to lands against any adverse claimant, and had assured him of an impartial trial; that, "since this answer, Mr. Mason had been in Boston, — a court then sitting, — but had made no further motion in his business"; and that accordingly it was fit the King should be "acquainted that, in obedience to his Majesty's commands, there was no denial of justice to Mr. Mason, nor delay in that affair."[1]

Along with the Address of the General Court, the "General Petition and Address of the inhabitants of the Colony to his sacred Majesty, with all the subscriptions thereunto," was directed to be "sent to the agents in London, to be presented by them to his Majesty, if they thought it expedient."[2] The memorialists represented that the existing colonial government had been "abundantly satisfactory," and such as commanded their gratitude to God and to the King, to whom they owed it; and they "declared that his Majesty could by nothing more knit and bind their hearts to all expressions of loyalty and obedience," than by allowing their government to subsist undisturbed; — a course which would "dispel and scatter those clouds of fears which were risen in the minds of very many good subjects, lest they should be deprived of those liberties and privileges, which they held in such high esteem, and had, themselves and progenitors, been at so great hazard and charge, and encountered with such extreme difficulties, for the enjoyment thereof."

Before dispersing, the Court appointed a day for "solemn humiliation throughout the Colony, therein humbly to implore the mercy and favor of God, in respect to

[1] Mass. Rec., V. 388, 389.

[2] Ibid., 387. The question on sending this Petition had been warmly discussed between the Magistrates and the Deputies, the former being opposed to the measure. The sending of it, to be presented or withheld according to the judgment of the agents, was the result of a compromise. (Mass. Arch., CVI. 277.)

their sacred, civil, and temporal concerns, and more especially those in the hands of their agents abroad; as also for those kingdoms upon whose welfare their own did so nearly depend, and for the Protestant churches and interest elsewhere." [1]

May 16.

At the next annual General Court for elections, the great subject was not revived. Randolph had gone again to England.[2] It is probable that he had delayed his departure in order to watch the proceedings which have just been related; for he sailed as soon as they were brought to an end and the Court was dissolved. Immediately on his arrival, he received an order "to attend Mr. Attorney-General with proofs of his charges against the Massachusetts government." [3] The business

Proceedings of Randolph in England.

May 23.

June 13

1 Mass. Rec., V. 388.

2 On Randolph's departure for England, Danforth took leave of him by the following characteristic letter (April 2), — if, indeed, it was ever sent.

"Sir: —

"You are now committing yourself to God's protection upon the mighty seas. I shall only commend and leave with you this one word of counsel. If God doth give you like visit as he did to Laban (Gen. xxxi. 24), be not worse than he appears to be (verse 29). God hath made you an eye and ear witness of the sincere desire of this poor people, with whom you have sojourned some years, to serve God and honor the King. Resolve not, therefore, to be an enemy to them who have done you no wrong, lest the Lord say of you as is expressed Exod. ix. 16. I beg of you to read the nine first verses of the ninth of Acts, and muse seriously thereon in the night season, when you feel God's Holy Spirit communing with your soul.

"Excuse me. I beg your pardon." (Mass. Arch., LVII. 55.)

Randolph had been followed to New England by two brothers of his, named Barnard and Giles, for shares in the spoil. Giles was commissioned by him as Deputy-Collector for New England, November 26, 1683. (Mass. Arch., LXI. 260.) June 13, Barnard wrote to him from Boston: "I have received many affronts since my being in the office you left me, and cannot have any justice. I ordered Gatchell to go on board a sloop at Marblehead to search her. . . . . The constable had his staff taken out of his hands; his head broke therewith. Gatchell was shrewdly beaten. . . . . I have been very uneasy, but with my life and fortune will ever serve his Majesty." (Colonial Papers, &c.)

3 Journals of the Privy Council; Mass. Arch., CVI. 298; CXXVII. 218. — The following is an abstract of Randolph's charges now presented, viz.: — "1. They assume powers that are not warranted by the charter, which is executed in another place than was intended; 2. They make laws repugnant to those of England;

had been matured beforehand, and the formal proceedings took little time. Before Randolph had been a month in England, he had virtually accomplished the object of his ambition and revenge. The blow with which the Colony had so long been threatened was struck.[1] The writ was issued, which summoned it to stand, for the defence of its political existence and of the liberty and property of its people, at the bar of a court in London.[2]

Process against the charter of Massachusetts.

June 27.

It was ordered by the Privy Council, "that Mr. Edward Randolph be sent to New England with the notification of the said *quo warranto*, which he was to deliver to the said Governor and Company of the Massachusetts Bay, and thereupon to return to give his Majesty an account of his proceedings therein." He was to be furnished with "two hundred copies of all the proceedings at the Council board concerning the charter of London, ... to be dispersed by him in New England, as he should think best for his Majesty's service."[3] And he was to carry over a royal "Declaration," which must have made those who composed it smile, when they remembered what had been the issue of the

July 20.

3. They levy money on subjects not inhabiting the Colony [and consequently not represented in the General Court]; 4. They impose an oath of fidelity to themselves, without regarding the oath of allegiance to the King; 5. They refuse justice, by withholding appeals to the King in Council; 6. They oppose the Acts of Navigation, and imprison the King's officers for doing their duty; 7. They have established a Naval Office, with a view to defraud the customs; 8. No verdicts are ever found for the King in relation to customs, and the courts impose costs on the prosecutors, in order to discourage trials; 9. They levy customs on the importation of goods from England; 10. They do not administer the oath of supremacy, as required by charter; 11. They have erected a Court of Admiralty, though not empowered by charter; 12. They discountenance the Church of England; 13. They persist in coining money, though they had asked forgiveness for that offence." (Chalmers, Annals, 462.)

1 Lord Sunderland was now again a Secretary of State, having succeeded Sir Henry Coventry, March 6 of this year.

2 The instrument is in Mass. Rec., V. 421.

3 Journals of the Privy Council.

more important Declaration of Breda. In it the King announced his "will and pleasure" to be, "that the private interests and properties of all persons within the Colony should be continued and preserved to them, so that no man should receive any prejudice in his freehold or estate." He promised "that, in case the said corporation of the Massachusetts Bay should, before prosecution had upon the said *quo warranto*, make a full submission and entire resignation to his pleasure, he would then regulate their charter in such manner as should be for his service and the good of the Colony, without any other alterations than such as he should find necessary for the better support of his government there." And he "further declared and directed, that all those persons who were questioned in or by the said *quo warranto*, and should go about to maintain the suit, should make their defence at their own particular charge, without any help by, or spending any part of, the public stock of the said Colony; and that as well those that were not freemen, as such as were willing to submit, should be discharged from all rates, levies, and contributions towards the expense of the said suit, both in their persons and estates."[1] The agents, being "not willing to undertake the defence and management" of the question upon the charter in Westminster Hall, received liberty to return home; but they were not to set sail till after Randolph should be "embarked for his said voyage."[2]

A show of force at Boston was, in Randolph's judg-

1 Mass. Rec., V. 421–423. — The provision for exempting submissionists from charges incident to trying the question was an artful scheme of Randolph. July 17th, he presented a petition "in the name of divers planters and others" to that effect. (Colonial Papers, &c.) — The exemption not only crippled the means of the Colony for carrying on the contest, but, by its appeal to avarice, it sowed the seeds of discord and mutiny. The same measure had been taken in Virginia, sixty years before, in similar circumstances. (Journals of the Privy Council, for December 8, 1623.)

2 Journals of the Privy Council.

ment, advisable.[1] "The countenance of a frigate upon the coast," he wrote to Secretary Jenkins, "is absolutely necessary for his Majesty's service upon this occasion, to second the *quo warranto*, in order to procure an entire submission from the Bostoners, wherein all the other Colonies will follow their example; and the want of a frigate will give opportunity to those people, who use all imaginary artifices, to oppose his Majesty's orders, and to plead to the *quo warranto*, which will take up above twelve months' time before this charter in that case can be vacated. It is therefore represented as a thing that will have very great consequences, ... that some small frigate be ordered to lie upon the coasts of New England when the Bostoners shall receive the news of the *quo warranto*, and have it before them either to make an entire submission, or to evade by tumults or otherwise their obedience to his Majesty; this being in some manner a parallel to that of the late rebellion in Virginia, where the timely sending one small ship in his Majesty's name with the signification would have saved no less than fourscore thousand pounds actually issued out of the exchequer here, though too late for that service."[2]

July 26.

But a frigate could not at the moment be spared; and

1 Orchard was again stimulating the Privy Council by a repetition of his complaints. (Journals of the Privy Council, for July 27.) And another suitor, of the same quality, had presented himself. December 8, 1682, Richard Thayer addressed a memorial to the Privy Council for redress against the people of Braintree, who, he said, unjustly dispossessed him of land he had bought of the Indians. The Council entertained the complaint, and (March 2, 1683) ordered notice of it to be sent to Thomas Savage and Captain Clapp. (Journals of the Privy Council.) The Braintree people took grave umbrage at Thayer's pretensions. "His father's shop, who was a cobbler," so they wrote to Dudley (August 14, 1683), "would now hardly contain him, with his arms a-kembo." (Adlard, The Sutton Dudleys of England, 73, 74; comp. Mass. Hist. Coll., XXXV. 104.)

2 Accordingly (July 17) an order was made, that, "for the better countenancing him therein, he may be transported to Boston by the *Mermaid*, or any other frigate bound to America." (Colonial Papers, &c.)

in a week's time Randolph had concluded to make his voyage in a merchant-vessel, being anxious for the result, if the Colonists should be informed of the issuing of the *quo warranto*, before they had intelligence of the King's "gracious Declaration," and of the submission of the Corporation of London.[1] "If it shall so please his Majesty," he now wrote to Sir Lionel, "that the first frigate bound to the West Indies be ordered to call at Boston, and that I may have a copy of his Majesty's pleasure therein to show the Magistrates when I arrive at Boston, it will make as great an impression upon the people as if a frigate were there present and riding before their doors."[2]

August 3.

While Randolph was at sea, the General Court of Massachusetts held their annual autumnal session, but transacted only such business as related to details of domestic administration.[3] They had scarcely separated when Randolph landed at Boston,[4] having been preceded a few days by the agents. Forthwith the Court was convened again, and Randolph's alarming message was delivered. Elisha Cooke, of Boston, one of the boldest of the patriots, was this year, for the first time, Speaker of the House of Deputies, having succeeded in that place Daniel Fisher, of Dedham, a public-spirited, but less considerable man, who, after three years' service as Speaker, had been sent up to the comparative quiet of the Board of Assistants. "The Court sat *diem*

October 10.

Randolph's return to Massachusetts. Reception there of the writ of *quo warranto*.

October 26.

October 22.

November 7.

1 See above, p. 260.

2 Colonial Papers, &c.

3 Mass. Rec., V. 414–419. — The militia, however, received special attention from this Court, and some repairs of the Castle were ordered. It is worth remarking, as an illustration of the chronic feeling of the people, that, at this moment of extreme danger, they were thoughtful for their schools. A law of this session required towns consisting of more than five hundred families or householders to maintain four schools, — two of them to be competent to fit boys for College, — and doubled the ancient penalty for neglect of this provision.

4 Mass. Arch., CVI. 301; CXXVII. 218.

per diem on the consideration of the weighty matters that were presented." Their consultations resulted in nothing but sending out a power of attorney to Mr. Robert Humphreys, a London barrister of the Inner Temple, with instructions to appear for them at the approaching term of the Court of King's Bench. He was informed that his object should be "to save a default and outlawry for the present." He was to "entertain the best counsel possible, and gain what time might be had, *cunctando restituere rem*, and that a better day might shine." With reference to several particulars of questionable principle and irregular form which were specified, he was to plead to the jurisdiction of the Court in the case as now brought before them; and he was urgently to represent that the predecessors of the impeached party "transported themselves hither, settled and defended themselves here at their own cost and charge, many of them leaving large accommodations in England for an uncertain settlement in this wilderness, confidently relying on the security given them by their charter for the enjoyment of the privileges therein contained."[1]

December 5.

Of the proceedings of this General Court in relation to the great question that was pending, this is all that appears upon its records. The cold leaves reveal nothing of the temper and agony of the discussions that were protracted for four weeks. We learn something of them from other sources. Dudley, secured to the King's interest, and now again seated among the Assistants, assured the Court that there was no hope for them but in submission. In the upper branch of the government there was found at length a servile majority. The Magistrates voted that an humble Address be sent to his Majesty, declaring that, "upon a serious consideration of his Majesty's gracious intimations

Submission of the Magistrates.

November 15.

[1] Mass. Rec., V. 420–425; Mass. Arch., CVI. 308.

in his former letters, and more particularly in his late declaration that his pleasure and purpose is only to regulate our charter in such a manner as shall be for his service and the good of this his Colony, and without any other alteration than what is necessary for the support of his government here, we will not presume to contend with his Majesty in a course of law, but humbly lay ourselves at his Majesty's feet, in a submission to his pleasure so declared; and that we have resolved, by the next opportunity, to send our agents, empowered to receive his Majesty's commands accordingly. And, for saving a default for non-appearance upon the return of the writ of *quo warranto*, that some meet person or persons be appointed, and empowered by letter of attorney, to appear and make defence, until our agents may make their appearance and submission, as above. The Magistrates have passed this with reference to the consent of their brethren the Deputies hereto."[1]

Persistence of the Deputies.

The Deputies were prepared for no such suicide, though there were not wanting faint hearts or grovelling aims among them. No report of their debate has been handed down. But a paper is extant, which represents at large the views entertained by the patriot party. It states the question in these words: "Whether the government of the Massachusetts Colony in New England ought to make a full submission and entire resignation to the pleasure of the court, as to alterations, called regulations, of the charter."

The answer is, "They ought not to do thus, as may be concluded from the following arguments." The arguments, seven in number, were substantially as follows: 1. The regulations proposed would be "destructive to the interest of religion and of Christ's kingdom in the Colony," and therefore could not be consented to "without sin and great offence to the Majesty of Heaven. . . . . .

[1] Hutch. Hist., 304; Mass. Arch., CVI. 305.

The people in New England, being Non-conformists, have no reason to believe that their religion and the court's pleasure will consist together; especially considering there is not one word about religion mentioned in the King's Declaration." 2. Nothing would be gained by the submission proposed, inasmuch as (1.) "the designed alterations would be destructive to the life and being of the charter, ... and no better than a judicial condemnation; (2.) all those corporations in England which had submitted to the court's pleasure had gained nothing thereby, but were in as bad a case as those that had stood a suit in law and had been condemned"; and, even in New England, the people "in the eastern parts, if they had not submitted so soon, might have lived longer"; (3.) "if they maintained a suit, though they should be condemned, they might bring the matter to Chancery or to a Parliament, and so might possibly in time recover all again." 3. Such surrender as was proposed would be a departure from the ancient principles and policy of the Colony; "for when, in the year 1638, there was a *quo warranto* against the Charter, their worthy predecessors neither did, nor durst they, make such a submission and resignation as was then expected from them. And when, in the year 1664, it was the court's pleasure to impose commissioners upon the government of the Massachusetts, they did not submit to them. God has owned those worthy predecessors in their being firm and faithful in asserting and standing by their civil and religious liberties. Therefore their successors should walk in their steps, and so trust in the God of their fathers that they should see his salvation." 4. For the people of Massachusetts to make "such a submission and resignation as was urged, ... as it would gratify adversaries (*hoc Ithacus velit*), so it would grieve their friends both in other Colonies and in England also, whose eyes were now upon New England, expecting that the people there would

not, through fear and diffidence, give a pernicious example unto others." 5. What was demanded was a "blind obedience to the pleasure of the court"; for "there was nothing said in the King's Declaration concerning the religious liberties of the people in New England"; there was reason to fear "Popish counsels" at court; "and therefore for them to submit fully to things called regulations, according to the court's pleasure, could not be without great sin, and incurring the high displeasure of the King of kings." 6. An act of submission would be "contrary unto that which had been the unanimous advice of the ministers of Christ." Only three years before, the ministers, "after a solemn day of prayer," had declared: "It is our undoubted duty to abide by what rights and privileges the Lord our God, in his merciful providence, hath bestowed on us. And whatever the event may be, the Lord forbid that we should be any way active in parting with them."[1] 7. "For the government to submit and resign to the pleasure of the court, without the consent of the body of the people, ought not to be. But the generality of the freemen and church-members throughout New England would never consent thereunto."

Finally, some arguments for a resignation of the charter were refuted. 1. It was disingenuous to say that all that was designed was "a submission to alterations in some

1 Perhaps, in the argument that this advice was as wholesome now as ever, there was sarcasm, intended to be felt in some quarters. "If in the year 1680 it were an undoubted duty to abide by the privileges which the Lord hath bestowed upon us, it cannot but be a sin in the year 1683 to submit and resign them all to the court's pleasure. And it is to be hoped that the ministers of God in New England have more of the spirit of John Baptist in them, than now, when a storm hath overtaken them, to be reeds shaken with the wind. The priests were to be the first that set their foot in the waters, and there to stand till the danger was past. Of all men, they should be an example to the Lord's people of faith, courage, and constancy. Unquestionably, if blessed Mr. Cotton, Hooker, Davenport, Mather, Shepard, Mitchell, were now living, they would . . . . . say, 'Do not sin in giving away the inheritance of your fathers.'"

circumstances, in order to preserving the substance of the charter entire." For, (1.) The treatment experienced by the city of London proved the contrary; (2.) If a resignation should be made, and afterwards, "when the regulations appeared to be destructive to the vitals of their charter, the Massachusetts should refuse to comply therewith, it would be said they dealt deceitfully and untruly." (3.) "In case the government plainly signified that they submitted to regulations only as to circumstances, and with a proviso that the life of their charter might be preserved, they would incur as much displeasure as if they maintained their right as far as law and equity would defend them." 2. It was not true that they had "legally forfeited their charter, and therefore might without sin resign." Disregard of "corrupt and unrighteous laws" did not work what could properly be interpreted as legal forfeiture; and it was "not to be believed that they had forfeited their charter according to the laws of righteousness and equity. . . . . He that acknowledged this did New England more wrong than a little. And if the charter were not forfeited in the sight of God, and according to the rules of his word, it was a sin to submit or consent that the court should alter it according to their pleasure." 3. It was vicious reasoning to infer that "New England ought to submit to the pleasure of the court" because "the Lord's people were bid to go out to the king of Babylon, and the emperors of Babylon and Persia had dominion over the bodies and cattle of the Jews at their pleasure, Neh. ix. 37. . . . . He scarce deserved the name of an Englishman that should thus argue. Because those monarchs were absolute, must Englishmen, who are under a limited monarchy, consent to be in that misery and slavery which the captive Jews were in?"

4. To the question, "What Scripture is there against this full submission and entire resignation"? the reply was, "There is the sixth commandment. Men may not

destroy their political any more than their natural lives. All judicious casuists say, it is unlawful for a man to kill himself when he is in danger, for fear he shall fall into the hands of his enemies who will put him to a worse death, 1 Sam. xxxi. 4. There is also that Scripture against it, Judges xi. 24, 27; and that 1 Kings xxi. 3." Finally, the argument from the sufferings that might follow resistance was disposed of. "Better suffer than sin, Heb. xi. 26, 27. Let them put their trust in the God of their fathers, which is better than to put confidence in princes. And if they suffer because they dare not comply with the wills of men against the will of God, they suffer in a good cause, and will be accounted martyrs in the next generation and at the great day."[1]

Determined by such considerations, the House of Deputies, after a fortnight's debate over the action of the Magistrates, came to the following vote: "The Deputies consent not, but adhere to their former bills."[2] The proposal of submission was rejected. November 30.

Randolph sailed for England again soon after this decision.[3] Having reached Plymouth by December 14.

[1] Hutchinson Papers in Mass. Hist. Coll., XXI. 74–81. — I presume this paper was from the pen of Increase Mather. His speech in a Boston town meeting on the following January 23, was to the same effect. (Parentator, 91.)

[2] Mass. Arch., CVI. 305.

[3] He sailed from Boston, December 14. (Ibid., CXXVII. 218.) In the collection of Colonial Papers, to which I am so frequently indebted, there is a letter from Boston, with the date of that day, treating of the pending controversy. It is signed *Phileroy Philopatris*. A natural conjecture points to Danforth as the author. He or Hathorne, several years earlier, wrote a letter of the same description (see above, Vol. II. p. 628, note 1), and Hathorne was now dead. The paper, consisting of four closely-written pages, is extremely well argued. The writer says, that the example of New Hampshire and New York shows to the people of Massachusetts "what they may naturally expect from such magistrates as are not chosen by the people, how far they are from being nursing fathers to the religion professed by this people. Our civil government," he continues, "is as the cabinet to keep and preserve the precious jewel of religion, which is our life; therefore we cannot consent to part with it, whatever we may suffer; it is better to suffer than to sin and suffer too. But we hope that God will incline the heart of our

"a tedious and very dangerous passage" of two months, he immediately sent a report to Sir Lionel Jenkins of his

gracious King to have pity and compassion upon us; . . . . . if not, to give us courage, faith, and patience to suffer what God in his holy will shall bring upon us." "Some wise men and faithful subjects in this land . . . . . say that this charter is the principal bond and ligament whereby this people are obliged to him [the King] and his successors, as subjects; and if the patent be once dissolved by his Majesty, against this people's will, and without their fault, what other bond remains to oblige them to him as subjects?" They are then, he argues, no more subjects of the king of England than descendants of Danes and Saxons in England retain the allegiance of their ancestors. He points to the existing state of things in New Hampshire, where old magistrates first placed in power were removed, and rights of property were invaded. Some ask, what will follow if the Massachusetts people, "who are more than a half of the English in all New England," resist attempts against their charter, as they did in 1665. "To which some say, but they are not many, — 'If his Majesty's commands be not obeyed, he hath power enough to force obedience; his Majesty can send frigates and soldiers, or proclaim this people rebels, or put them out of his protection, and expose them to many calamities thereby; he can prohibit their trade with any of his dominions or plantations, upon whose traffic they may depend.' To which it is answered, ... 'To send frigates or soldiers so far is a vast charge, and as it were to hunt a partridge upon the mountains; for to such places, where they have several towns, the people may retire, and ships cannot sail thither, nor soldiers well march into the woods without great difficulty. And is there anything here to be had to compensate such a charge? The people generally are very poor; their substance is in a few poor cattle, and a little corn, and the land which they yearly lumber upon, and make but a bare shift to bring all ends together at the year's end. And if his Majesty should put them out of his protection, they must and will for the most part grieve for it, and flee under the wings of God, their old and faithful Protector; for little have they had from any earthly hitherto." And if his Majesty should prohibit their trade with other plantations, will not he have the worst of it? "They can make a shift, too, to live poorly without much trade; for here is wool, flax, hemp, iron, and many other useful things, and hands enough to make them up, for use, besides many ships and vessels which will venture abroad, and some possibly may and will return home in safety, and bring supply of what is absolutely wanted. — Indeed, to be reduced to such a condition as his Majesty's displeasure may expose to will be a very great affliction to this poor people; but if God and man will have it so, they must patiently submit thereunto." On the other hand, let the King confirm them in their rights, and "they will approve themselves as good subjects as any he hath, and will serve and obey him in all things so far as they can with a good conscience. They will, industriously and diligently (as so many bees), labor in their traffic and commerce; the fruit thereof will be the increase of his revenue, in paying their just dues in all his dominions. They will put him to no charge in maintaining governors and officers, or to keep

proceedings in America.[1] A more formal document was his "Narrative of the Delivery of his Majesty's writ of *quo warranto*," presented to the Privy Council, and by them referred to the Lords of the Committee.[2]

Report of Randolph to the Secretary of State. 1684. February 14. February 29

Intelligence that followed him to England indicated no progress in the undertaking of Dudley and his friends

and maintain forts and defences to secure the country by sea or land; but to their utmost power, as they have done, defend this place from all his enemies, and keep the same in subordination to him and his successors. I humbly desire to know what other or greater benefits will accrue to his Majesty by introducing a change." As to providing for "any of his Majesty's servants by conferring offices here, surely it will be found a mistake; for great things are not here to be had; the Governor and all the Magistrates in the country (and yet they are twenty in number) their salaries do not amount to more than £100 (one hundred) per annum for the Governor, and £35 per annum for each Assistant, out of which they do bear their own charges; and this is not paid in money, but a great part of it in corn at a high price."

1 In this report he relates that he "arrived in Boston upon the 26th of October, late at night, and found their General Court that afternoon broke up. Their agents, sailing out of the Downs before me almost a fortnight, and arriving the 22d of the same month, gave them notice that a *quo warranto* was brought against their charter." He says that he delivered the King's Declaration to the Governor on the morning after he came on shore, and the General Court was hereupon summoned to meet, November 7. The Governor, Dudley, a majority of the Magistrates, nine of the Deputies, and "as many of the chief of the ministers," were in favor of submitting; while Danforth and Richards, "having made a strong party in the House of Deputies," resisted; "and after above five weeks spent, they adjourned till the 4th instant." They were preparing a letter, as he heard, "to gain more time, supposing troubles might arise in England." (Colonial Papers, &c.)

2 Journals of the Privy Council. — At the same time Randolph presented to the Council a petition, "setting forth the many hazards and dangers he had met with, both by sea and land, in the prosecution of his Majesty's service in the affairs of New England, together with his losses sustained therein, amounting to above £ 260." The "Narrative" was read to the Council, March 11. According to this paper, the General Court hastened its adjournment, so as to get away before Randolph's arrival. It was by the influence of Danforth and Richards that Humphreys had been employed to contest the suit. "Seven or eight days before the Assembly broke up, a libellous paper was dispersed in Boston. . . . . It was verily believed that one Cheevers [Thomas Cheever, of Malden?], a young, hot-headed minister, was the author of that paper." Randolph asks for money to indemnify him for the cost of having "brought over two good witnesses to make out the proof of what had been materially objected against them in the mismanaging of their charter." (Colonial Papers, &c.; comp. Mass. Arch., CVI. 301.)

to obtain a submission of Massachusetts to the pleasure of the King.[1] At the General Court for Elections, Dudley had been dropped from the list of Assistants. Bradstreet and others of his party had not been displaced;[2] but the vote that elected

Continued oppugnation of Massachusetts.

May 7.

1 In a letter to Jenkins, dated April 24, and signed by Bradstreet as Governor, and by Dudley, Stoughton, Brown, Gedney, Bulkely, Saltonstall, and Russell, Assistants, the writers say that they can by no means yet prevail on the Deputies to surrender the charter. (Colonial Papers, &c.) A friend of Randolph, writing to him from Boston, March 14, informs him that, at the approaching General Court for the annual elections, Bradstreet, Stoughton, Bulkely, "and one more" (probably the writer), are to be set aside as "enemies to the country." "It's thought they [the patriot party] design to oppose any power from the King." He adds other particulars of information. Watertown and two other towns had declared for the King. "The Indians eastward are preparing for a war, and it is said will soon be in action." "The Governor and several Magistrates went to the Castle to see what repairs were necessary to be done, which was ordered (as was reported) the first opportunity of weather." He describes a significant town-meeting that had been held in Boston. Nowell proposed that all who were for surrendering the charter should hold up their hands. Not a hand was raised; "which caused one of the freemen to hold up both hands, and with long declamations he cried out, 'The Lord be praised, not a man held up his hand, to the delivering up of the charter.'" "Mather stands up [the Reverend Increase Mather, of the Second Church], and exhorts the people, telling them how their forefathers did purchase it, and, would they deliver it up, even as Ahab required Naboth's vineyard, oh! their children would be bound to curse them. They might see examples enough before their eyes, meaning the city of London and their neighboring country of Piscataqua." (Colonial Papers, &c.; see above, p. 385, note 1.) — July 9, Dudley wrote to Secretary Jenkins that he and his friends had endeavored to prevail upon the people "humbly to cast themselves at his Majesty's sacred feet; the issue of which is," he continued, "that we are regarded as enemies to their peace and liberties, and several of us discharged from our places of trust amongst them." (Colonial Papers, &c.) — July 9, a General Court assembled in consequence of a proclamation of the King (of March 8), forbidding his subjects to enlist in the military or naval service of foreign powers. It passed laws to carry that edict into effect for the Colony, but transacted no other business except to enact an additional license-law. (Mass. Rec., V. 446 – 448.)

2 Ibid., 436. In the civil year that now began, five extraordinary sessions of the General Court were held. (Ibid., 449, 453, 465, 469, 472.) There is no record of the names of Deputies present at any one of them; a circumstance which may be thought to indicate a general discouragement. — July 16, Randolph wrote to the Lords of the Committee that he was informed, by letters and persons from Massachusetts, that the Governor and Magistrates at Boston had been very busy repairing their

them had been close, and Stoughton had been so disgusted with the rejection of his friend, that he refused to take the oath of office, though he was at the same time complimented by being chosen a Federal Commissioner.[1] The General Court had sent another letter to Humphreys, urging him to "use his endeavor to spin out the case to the uttermost"; and, with it,[2] another Address to the King, in which they prayed that he would not impute it to "the perverseness of their minds" that they could not make the submission which he demanded. "We are your Majesty's poor subjects," they said, "the children and offspring of those that, under the security of the charter granted by your royal father, left all that was dear to them in your Majesty's three kingdoms, not for the sake of outward advantages, but that they might not be offenders against either church or state in those things, the enjoyment whereof they put far greater value upon than their private interests and proprieties. . . . . We take encouragement humbly to supplicate that there may not be a further prosecution had upon the *quo warranto*,

May 10.

May 17.

fortifications. He had learned that "Mr. Dudley, Mr. Stoughton, and Mr. Bulkely had been left out [of the Magistracy]; also Mr. Brown and Mr. Gedney; Stoughton and Bulkely were escorted two or three miles to their houses by seventy horsemen, merchants and gentlemen." (Colonial Papers, &c.)

1 At this election Bradstreet had only 690 votes for the office of Governor, and came near being superseded by Danforth, who had 631. (Hutch. Hist., I. 306.) The large number of freemen who did not vote for a Governor may be presumed to have been chiefly of such as would not sustain Bradstreet, though they did not like to oppose him openly.

2 Mass. Rec., V. 439. — "We question not," they wrote, "but the counsel which you retain will consult my Lord Coke his Fourth Part, about the Isle of Man, and of Guernsey, Jersey, and Gascoigne, while in the possession of the kings of England; where it is concluded by the judges that these, being *extra regnum*, cannot be adjudged at the King's Bench, nor can appeal lie from them, &c. Also, if there be such a thing as an appeal from a judgment in the King's Bench, by a writ of error to the Exchequer Chamber, we hope you will endeavor for us, that whatsoever benefit the law affords we may, by due and meet applications, be partakers of the same." (Ibid.)

it being very grievous to us to think of maintaining any controversy with your Majesty, ... and believe that, in times to come, it will be no regret of mind to your Majesty that your distressed New-English subjects have been relieved by your sovereign grace."[1]

Decree vacating the charter. June 21.

Before these papers reached England, judicial action was taken that was all but definitive.[2] The Court of Chancery, to which the business had been transferred, made a decree vacating the charter, at the same time directing "that judgment be entered up for his Majesty as of this term; but if defendants appear first day of next term, and plead to issue, so as to take notice of a trial to be had the same term, then the said judgment by Mr. Attorney's consent to be set aside; otherwise, the same to stand recorded."[3]

1 Humphreys was authorized to use his judgment as to presenting or withholding this Address (Mass. Rec., V. 439–441), as Dudley and Richards had been in respect to another paper (see above, p. 374, note 2), and probably for similar reasons.

At this time appears upon the scene a person destined, before long, to play a conspicuous part. A letter from Stoughton and Dudley, dated Boston, June 6, relates to a secret commission, received by them "yesterday" from England, empowering them to look after the King's interest against "Captain William Phipps," who "departed hence in January, and hath been some months upon the wreck." They promise to attend to the business, as soon as Phipps arrives in Boston. "We shall use the best methods possible," they say, "to persuade his return hither from the wreck." (Colonial Papers, &c. See below, p. 590.)

2 June 11, Robert Orchard petitioned for remuneration for having "waited above twelve months by their Lordships' command to attend Mr. Attorney-General, and hath given his information in writing against the Governor and Company of the Massachusetts Bay." (Colonial Papers, &c.) — Lord Godolphin was now a Secretary of State, having succeeded Jenkins, April 14 of this year. He retained the office less than six months, being himself succeeded by the Earl of Middleton in September.

3 Colonial Papers, &c.; comp. in Mass. Arch., III. 38–44, what appears to be a brief for the defendants. On the decree in Chancery the Attorney-General (Sawyer) indorsed these words: "Pray let it be entered; it very much concerns the King."

Down to the time of Randolph's Report to the Privy Council (February 29, 1684) the proceedings against Massachusetts were under a writ of *quo warranto*, returnable into the Court of King's Bench. After that time, we hear no more of that writ, or of proceedings in that court. What

This staggering intelligence reached Massachusetts in a private letter to Dudley. A General September 10.

vacated the charter was a decree in Chancery, June 21, confirmed October 23.

Here is a perplexity which I do not observe to have been noticed by any historian. Chalmers (Annals, 414, 415), who was a lawyer, Graham (History, &c., I. 360), who was bred a lawyer, and Hutchinson (History, &c., I. 305), who, if not a lawyer, was a Chief Justice, all slur the matter over.

In a paper entitled "Brief Relation of the Plantation of New England," &c. (Mass. Hist. Coll., XXI. 96), written in 1689, is the following statement: — "The Governor and Company appointed an attorney to appear and answer to the *quo warranto* in the Court of King's Bench. The prosecutors not being able to make anything of it there, a new suit was begun by a *scire facias* in the Court of Chancery."

Further light upon the question is afforded by a letter of Sir Robert Sawyer, Attorney-General, preserved in the Massachusetts Archives (CVI. 322). May 13, 1684, Sir Robert wrote to "Mr. Wynne, at Mr. Secretary Godolphin's office," in answer to a letter from Wynne enclosing one from Randolph. Referring to the writ of *quo warranto*, served by Randolph in Massachusetts the preceding autumn, Sawyer writes: "This letter was not delivered till after the return of the writ was out. The sheriff's principal objection why he did not return a summons was, the notice was given after the return was past. He did also make it a question whether he could take notice of New England, being out of his bailiwick. Upon advice with the King's Council, I conceive that the best way to reach them will be by a *scire facias* against the Company to repeal the patent; and upon a *nihil* returned by the Sheriff of London, a second special writ to be directed to Mr. Randolph, or some other person, who shall give them notice in time before the return of the writ." His advice, however, it appears, was not followed. Probably Randolph and the Lords of the Committee learned from the Lord Keeper that they needed not to take so much trouble, for he was all ready to give them a decree without it.

A little before the date of the Attorney-General's letter, above cited, Humphreys, the counsel for the Colony, had presented another difficulty. The Magistrates had suggested to him (Mass. Rec., V. 425), that "particular persons were only mentioned in the writ, whereas they were to sue and be sued by the name of the Governor and Company." Accordingly, Humphreys writes that he told the Chief Justice (Jeffries) that he should not appear in the case in the Court of King's Bench, because the *quo warranto* that had been served by Randolph was against Governor Bradstreet, Deputy-Governor Danforth, and others, by name, and he (Humphreys) was not authorized to act for them, or for any other individuals, but for the Governor and Company of Massachusetts Bay, which corporation had empowered him by a commission under their corporate seal. (Letter of Humphreys to Dudley, June 17, Mass. Arch., CVI. 333.) He adds: "Soon after, a *scire facias* and *alias* was sent into Middlesex against your patent, out of the petty-bag office in Chancery." (Ibid.) If Bradstreet, Danforth, and the other persons named in the writ,

October 15. Court was convened; but nothing was done, except to hear the letter read. An adjourned

had been defaulted or nonsuited, still the charter would remain in force. Perhaps the Attorney-General had inadvertently copied the writ which had been drawn for the assault upon the charter fifty years before. (See above, Vol. I. pp. 402, 403.) His predecessor had then committed the same blunder; and it may have furnished one of the reasons why the proceedings at that time were afterwards held to be incomplete. (See above, p. 316.)

But, if the *quo warranto* that had been issued was defective in not being addressed to the proper party, in not being properly served, and in not allowing time for a return, why were not these defects cured by a new writ of *quo warranto*, rightly drawn and duly served? Why transfer the process by a *scire facias* to the Court of Chancery? My learned friend, Mr. Horace Gray, Jr., to whom I have submitted this whole matter, suggests a twofold answer to this question. A decision of the case for the crown in the Chancery would be, 1. more sure and more weighty than in the Court of King's Bench; and 2. it would be more effectual and decisive.

1. North, Lord Guilford, was now Lord Keeper (not Lord Chancellor; he was excessively angered that he was made the subject of this distinction, but his servility always kept his arrogance in check). Jeffries was Chief Justice. The professional reputation of Jeffries, so far, was founded rather upon his abilities as an advocate, than upon his juridical learning; at all events, his authority had no such weight as that of the veteran jurist, Lord Guilford. Jeffries was also uncommitted on this question of the vacating of charters. The *quo warranto* against Massachusetts had been issued two months before his promotion to the Court of King's Bench. He was placed there because it was expected that he would be a perfectly unscrupulous tool of the court, — an expectation which in the sequel he fully justified; but only a very few years had passed since he ceased to court the popular party (Campbell, Lives of the Lord Chancellors, IV. 350); and, apart from any doubt as to how he might view his future interest, the capriciousness and obstinacy, which were known to belong to him, perhaps prevented a perfect assurance as to his course on this occasion. Guilford there could be no question about. It had long been perfectly ascertained, as well that whatever was despotic was agreeable to him, as that he was fully furnished with law and precedent to maintain it. And he was distinctly committed on the specific question now at issue. He had gone all lengths for the crown in the test case of the *quo warranto* against the City of London. (State Trials, VIII. 1274.)

2. "Great importance was attached in those days to the actual possession of the charter. [See above, Vol. I. p. 372.] Now a judgment for the crown upon a *quo warranto* would have been only for the seizure of the franchises into the King's hands; but the judgment upon *scire facias* was not merely that the charter should be declared forfeited, but also that it should be cancelled, vacated, and annihilated, and restored into Chancery there to be cancelled. (Blackstone, Commentaries, III. 260, 262; Mass. Hist. Coll., XXXII. 278.) Indeed, Lord Coke (4th Institute, 79, 88), in enumerating matters within the jurisdiction of the Chancellor, puts this

meeting was held five weeks later.[1] The Court then addressed the King once more, with the accustomed plea for justice and forbearance. And they wrote to their attorney, Humphreys, that, "though they knew not what could be done more, nor could not direct for the future, yet, if he should find any way for their advantage, they were confident in his endeavors, and did assure him they would not be ungrateful."[2] These papers had not

first, and even derives his title from it, saying, 'Hereof our Lord Chancellor of England is called *Cancellarius, a cancellando*, i. e. *a digniori parte*, being the highest point of his jurisdiction to cancel the King's letters patents under the great seal, and damning the enrolment thereof, by drawing strikes through it like a lettice.'" (Letter from Horace Gray, Jr.)

Such were probably the considerations that dictated the "new measures taken at court." (Mass. Rec., V. 451; comp. 457.) A writ of *scire facias* against the Governor and Company of Massachusetts Bay was issued from the Court of Chancery, April 16, directed to the Sheriff of the (English) County of Middlesex, who made his return that he could not find the defendants, or anything belonging to them, within his bailiwick. May 12, probably as a mere form for continuance, a second writ of the same tenor was issued, and the same return was made a second time; June 21, the Lord Keeper made the decree vacating the charter, which however was to be suspended till the autumn term, to give time to the defendants to "plead to issue." But the defendants heard nothing of what had being going on till near the middle of September, and then only by a private letter (Mass. Rec., V. 449; comp. Hutch. Hist., I. 305); and, October 23, final judgment was entered. (Ibid., 424, 457, 458; comp. Exemplification of the Lord Keeper's decree in Mass. Hist. Coll., XXXII. 246, 262, 278; Revolution in New England Justified, 4.)

[1] Though having no relation to the main story, I cannot resist the temptation to copy, for the benefit of persons curious in local antiquities, the following entry in the Massachusetts Records (V. 456) for October 15, 1684. "In answer to the petition of Samuel Sewall, Esq. [John Hull's son-in-law, afterwards Chief Justice], humbly showing that his house of wood in Boston, at the hill where the Reverend Mr. John Cotton formerly dwelt, which house is considerably distant from other building and standeth very bleak, he humbly desiring the favor of this Court to grant him liberty to build a small porch of wood about seven foot square, to break off the wind from the fore door of said house, the Court grants his request." The house-lot of Henry Vane and John Cotton, so bleak, and still, in 1684, so remote, was opposite to where now stands, in Tremont Street, the hall of the Massachusetts Historical Society. I do not know why Sewall, before he built a porch, had to apply to the Court for leave.

[2] Mass. Rec., V. 456–459.—In sending, May 2, 1685, a copy of the judgment against the charter, Humphreys wrote to the Court a letter, in which, very decidedly, though not ill-naturedly, he censured what he considered

been despatched from Massachusetts, when the final step was taken in England. The counsel for the Colony moved in the Court of Chancery for an arrest of proceedings, on the ground that time had not been allowed for procuring a power of attorney, between the issuing of the writ of *scire facias*, and the day appointed for its return. But the Lord Keeper said that corporations ought always to have their attorney in court,[1] and ordered final judgment to be entered for the vacating of the charter.

October 23.

Massachusetts, as a body politic, was now no more. The elaborate fabric, that had been fifty-four years in building, was levelled with the dust. The hopes of the fathers were found to have been merely dreams. It seemed that their brave struggles had brought no result. The honored ally of the Protector of England lay under the feet of King Charles the Second. It was on the charter granted to Roswell and his associates, Governor and Company of Massachusetts Bay, that the structure of the cherished institutions of Massachusetts, religious and civil, had been reared. The abrogation of that charter swept the whole away. Massachusetts, in English law, was again what it had been before James the First made a grant of it to the Council for New England. It belonged to the king of England, by virtue of the discovery of the Cabots. No less than this was the import of the decree in Westminster Hall.

Political condition of Massachusetts without the charter.

Having secured its great triumph, the court had no thought of losing anything by the weakness of compassion. The person selected by the King to govern the people of his newly-acquired Province was Colonel Piercy

their unskilful management of their suit. (Mass. Arch., CVI. 343–347.)

[1] If this were sound doctrine, every town, and every railway company, in Massachusetts, would be obliged to be always professionally represented; but it was no more, in King Charles's time, good English law, than it is now.

Kirk. That campaign in the West of England had not yet taken place, which has made the name of Kirk immortal; but fame enough had gone abroad of his brutal character, to make his advent an anticipation of horror to those whom he was to govern. It was settled, that he was to be called "his Majesty's Lieutenant and Governor-General," and that his authority should be unrestricted. There was to be no Colonial Assembly, and the Governor's Council was to be of his own appointment. On lands that might be granted, the King was to have quitrents, — subject to be augmented from time to time at his pleasure; and one of the churches in Boston was to be seized for the use of a church of England.[1] Dudley and his friends

November 17.

November 22.

[1] According to Barillon (Letter to Louis XIV. of December 7, 1684, in the Appendix to Fox's History of James the Second, vii.), Lord Halifax was the only Privy Counsellor who opposed this arrangement. By so doing, Barillon understood Halifax to have made a mortal enemy of the Duke of York, whom he had so materially served by obstructing the Exclusion Bill.

"It is thought fit . . . . . that, where the military power is to be exercised, there be no mention made of the advice and consent of the Council. . . . . A clause is to be inserted, that nothing be printed in New England without the allowance of the Governor." (Colonial Papers, &c.) "My Lord Keeper acquaints the Committee [November 22] with his Majesty's pleasure, that, in Colonel Kirk's commission and instruction, no mention be made of an Assembly, but that the Governor and Council have power to make laws and to perform all other acts of government, till his Majesty's pleasure be further known. . . . . It is thought fit it be left to Colonel Kirk to nominate such persons to be of the Council as he shall think best qualified for his Majesty's service, and to transmit the names for his Majesty's approbation; and that a private instruction be prepared for the appointing the Secretary to be of the Council, and recommending such others by name for that trust as, having been Magistrates there, have been displaced by the former government." — The whole of New England, except Rhode Island and Connecticut, was to be comprehended in Kirk's government. "The Earl of Sunderland having acquainted the Committee [November 8] with his Majesty's pleasure that, the charter of the Massachusetts Bay being now vacated under a *scire facias*, ... a commission and instructions be prepared for Colonel Piercy Kirk, whom his Majesty hath appointed Governor; whereupon their Lordships, taking notice that the government of the Province of New Hampshire being already in his Majesty's hands, are of opinion that it be put under the government of Colonel Kirk; . . . . . and that the Colony of New Plymouth, having no legal charter nor constitution, may be

had their cogent reasons for being resigned to the new order of things; and they had now little anxiety lest it should lead to insurrection.[1]

Several months passed after the fatal decree, before intelligence of it was transmitted in any way. In midwinter a vessel arrived bringing "general rumors" of it; and the Governor convened the Court. They appointed a fast-day, and once more tried their accustomed fruitless method of pacifying the King by an Address. In this, which, like its predecessors, was sent to Mr. Humphreys for presentation, they again protested that none of their acts had been done "in derogation of the King's prerogative, or to the oppression of his subjects"; and they urged, that they "never had any legal notice for their appearance and making answer in the Court of Chancery; neither was it possible, in the time allotted, that they could."[2]

1685. January 28.

The reader asks how it could be that the decree by which Massachusetts fell should fail to provoke resistance. He inquires whether nothing was left of the spirit, which, when the Colony was much poorer, had so often defied and baffled the designs of the father of the reigning King. He must remember how times were changed. There was no longer a great patriot party in England, to which the Colonists might look for sympathy and help, and which, it had been even hoped, might reinforce them by a new

also fit to be arranged thereunto, together with the Province of Maine, which the Corporation of Massachusetts Bay lately bought of Mr. Gorges, the proprietor." — A similar order was made [November 17] respecting the Narragansett country. (Colonial Papers, &c.; comp. Journals of the Privy Council, for November 22.)

[1] In the collection of "Colonial Papers,' &c. is a memorandum of the contents of letters written from Boston to Randolph (then in London) in December. Dudley writes: "If a general pardon, indulgence in religion and properties, might be, this people will hardly, if ever, be persuaded to apply for themselves." Stoughton, "wholly a stranger to public affairs since the last unhappy election, ... cannot think (though he will be no undertaker for it) that there will be any such opposition as in the least to need force." Bradstreet makes timid intercession for indulgent treatment.

[2] Mass. Rec., V. 465 – 468.

emigration. There was no longer even a Presbyterian party, which, little as it had loved them, a sense of common insecurity and common interest might enlist in their behalf.[1] Charles the Second was now an absolute sovereign. For three years there had been no Parliament to call him to account. No man could promise himself that another English Parliament would ever meet. The executions of Russell and Sidney; the severities practised on the multitudes of humbler Englishmen, who scrupled to renounce an Englishman's birthright of free speech and free thought; the high-handed course taken with the boroughs and other corporations, — had reduced England to a dead level of helpless and desperate servitude. Relatively to her population and wealth, Massachusetts had large capacities for becoming a naval power; capacities which might have been vigorously developed, if an alliance with the great naval power of Continental Europe had been possible.[2] But Holland was now at peace with England; not to say that such an arrangement was out of the question for Massachusetts, while the rest of New England was more or less inclined to the adverse interest. Unembarrassed by any foreign war, England was armed with that efficient navy which the Duke of York had organized, and which had lately distressed the rich and energetic Netherlanders; and the dwellings of two thirds

1 Lord Say and Sele had now been dead twenty-two years; and Lord Manchester, fourteen. Lord Hollis had died four years before, being then eighty-two years old, and long retired from business. In 1682, the friendly Lord Anglesey had been deprived of the Privy Seal, ostensibly for a libel on the Duke of Ormond, really for his leaning to liberal principles. (State Trials, VIII. 990–1018.) There was no great courtier to befriend or pity Massachusetts, unless we so consider Lord Wharton, who was now the only survivor of the Westminster Assembly.

2 "If a foreign Prince or State should during the present troubles send a frigate to New England, and promise to protect them as under former government, it would be an unconquerable temptation." (Narrative of the Miseries of New England, in "Sixth Collection of Papers relating to the Present Juncture of Affairs in England," 34. This was written within five years after the time above treated of.)

of the inhabitants of Massachusetts stood where they could be battered from the water. They had a commerce which might be molested on every sea by English cruisers. Neither befriended nor interfered with, they might have been able to defend themselves against the corsairs of Barbary, in the resorts of their most gainful trade; but England had given them notice, that, if they were stubborn, that commerce would be dismissed from her protection, and, in the circumstances, such a notice threatened more than mere abstinence from aid. The Indian war had emptied the colonial exchequer. On the other hand, a generation earlier the Colonists might have retreated to the woods; but now they had valuable stationary property to be kept or sacrificed. To say no more, the ancient unanimity was broken in upon. Jealousies had arisen and grown. Had the Confederation been unimpaired, perhaps the proceedings of a half-century before might have been revived, and a new emigration have been made from the mother country. But the Confederacy was only a shadow of what it had been in the days of the Great Rebellion.

Nor was even public morality altogether of its pristine tone. A prospect of material prosperity had introduced a degree of luxury; and luxury had brought ambition and mean longings. Venality had become possible; and clever and venal men had a motive for enlisting the selfish, blinding the stupid, and decrying the generous and the wise. The most powerful man of New England was in league with her foes. Thirty years before, there would have been no place for such a politician as Joseph Dudley in the social system of Massachusetts. He would have had to do violence to his vicious nature, or to be obscure and unimportant. The time for such practitioners had come.

CHAPTER X.

When the Province of Maine, having been adjudged in England to be the property of Ferdinando Gorges, was purchased from him by the Governor and Company of Massachusetts Bay,[1] that corporation accordingly became Lord Proprietor in his place. It had come into possession of little but vacant land. During the war with the Indians, Maine had been almost emptied of English settlers.[2] 1677. May 6.

The return of peace invited the fugitives back to their homes, and made it fit that a government should be reconstituted. Recurring to the system formerly in force, the General Court of Massachusetts admitted Deputies from towns in Maine,[3] and made provision for the present administration of justice.[4]

But, when Randolph came from England a third time, bringing notice of the King's extreme displeasure at that purchase of Maine which took it out of his own hands,[5] it was time for Massachusetts to see to the security of her property, if she did not mean to lose it. In doing so, it was impossible for her to overlook the new relation into which she was legally brought to the people formerly dealt with on a footing of com-

1 See above, p. 312.

2 Ibid. — "There was no kind of government attempted upon it after the commencement of the Indian wars, until the year 1679; but the remains of the old government faintly supported the rights of the people, and defended their property against invaders." (Sullivan, History of Maine, 384.)

3 Kittery was represented in 1678 (Mass. Rec., V. 184), and Kittery and York in 1679. (Ibid., 211.)

4 Ibid., 187, 226.

5 See above, p. 327.

plete equality. From being a part of the Colony, and as such sharing in the functions of government, voting for Governor and Magistrates, and sending Deputies from its towns to the General Court, Maine was now a subject province, to be administered in such manner as Massachusetts, exercising the prerogatives set forth in the grant to Sir Ferdinando Gorges, should decree. Accordingly, "the Court taking into consideration the necessity of a speedy establishing a government in the Province of Maine, ... the honored Council of the jurisdiction was requested and empowered to take order for settling the said government, and appointing a President, with justices of the peace and other officers, as directed in Mr. Gorges's patent, and to commissionate the same under the seal of the Colony."[1]

Institution of a provincial government for Maine.

1680. February 4.

By virtue of this vote, the Governor and Assistants proceeded to establish and organize a government for Maine. They determined that there should be a Provincial President, to be appointed from year to year by Massachusetts, and a Legislature to meet once a year, and to be composed of two branches. The Upper House, called the *Standing Council*, was to consist of eight persons, appointed annually by the Governor and Assistants of Massachusetts, and subject to be removed by them. The Standing Council was also the supreme judicature. The other legislative branch was to consist of Deputies from the towns. Under the authority conferred on them by the General Court, the Governor and Assistants appointed Thomas Danforth to be President of Maine for the first year. Their action was approved by the Court at its session which speedily took place;[2] and towards the close of summer, attended by sixty sol-

Thomas Danforth President of Maine.

June 11.

August.

[1] Mass. Rec., V. 263.

[2] Ibid., 286. Perhaps the majority of the Council were not displeased to have Danforth go into honorable exile.

diers, Danforth sailed for Casco Bay to assume his charge.

The new government was not accepted by its subjects with unanimous satisfaction. Some hundred of them, residents in different towns, sent a petition to the King, praying him to re-establish among them his royal authority, and allow them to have a government of their own, "according to the laws and constitutions of the Province, till his pleasure should be further known."[1] This was, however, only one of the movements instigated by Randolph, and not thought in England to deserve much attention. At all events, the new scheme of administration went into effect without any serious hinderance. The General Court of the following year continued Danforth in the place of President of Maine.[2] 1681. May 11.

The General Assembly of the Province, constituted upon the new system, came together. They petitioned the government of Massachusetts for a guaranty against "all claims and demands due, and by charter belonging, to the chief Lord Proprietor for the time past," and for immunity for the future from imposts on townships previously granted, and on "streams, saw-mills, corn-mills, &c. ..... otherwise than should be necessary for their own defence." On these conditions, they professed themselves willing to make provision for all the public charges of the Province, and to make certain annual contributions to Massachusetts, as proprietary. The General Court accepted these proposals; and accordingly "ordered and empowered the President of said Province to make legal confirmation to the inhabitants respectively of their just propriety in the lands there, under his hand and seal, according to the August 18. October 12.

1 For this petition see Maine Hist. Coll., I. 302. See also Mass. Arch., III. 341, 342.

2 Mass. Rec., V. 309.

directions of their charter."[1] And the Assembly of Maine sent a memorial to the King, warmly expressing their gratitude for the protection and kindness experienced from Massachusetts in time past, and their desire "to live under the rule of the Governor and Company of the Massachusetts, now," they said, "your Majesty's Lieutenant, and our chief Lord Proprietor."[2]

When it had been decided in England that neither Massachusetts nor Robert Mason had a right to rule New Hampshire,[3] it became necessary to provide some other government for the four towns which still constituted the whole inhabited part of that territory. The King in Council accordingly instituted such an authority. New Hampshire was created a Royal Province. John Cutts, of Portsmouth, a respected merchant, now far advanced in life, was made President of it, with power to appoint a Deputy. Six persons were designated to compose his Council, with three others to be chosen by them. The Governor and Council were to be a judicial court, subject to an appeal to the King in Council in cases involving a value of more than fifty pounds. They were authorized to appoint military officers, and, with the concurrence of an Assembly, to assess taxes. The Assembly, to consist of Deputies of the towns, was to constitute a part of the government so long as the King should not see fit to order otherwise. Enactments were to be immediately transmitted to the Privy Council, and were to remain in force until disallowed by that authority. Liberty of conscience was to be maintained. It was ordered that a seal should be transmitted to the

New Hampshire constituted a Royal Province.
1679.
July 10.
September 18.

[1] Mass. Rec., V. 326, 327. — Williamson (History of Maine, I. 571, note) supposes that Maine may have contained, at this time, six thousand or seven thousand inhabitants. I think that one half of the smaller of those numbers would be too large an estimate. See Chalmers, Annals, 507, for the number of the militia of nine settlements before the Indian war.

[2] Mass. Arch., III. 344.

[3] See above, p. 307.

Province, with a portrait of the King and the royal arms, to be set up at the seat of government.[1]

Edward Randolph brought the commission to Portsmouth,[2] and made known its contents to the persons named in it as Magistrates. They were, besides the President, Richard Martyn, William Vaughan, and Thomas Daniel, of Portsmouth; John Gilman, of Exeter; Christopher Hussey, of Hampton; and Richard Waldron, of Dover. All of them were well affected to Massachusetts, and no one was ambitious of the position to which he was raised. They accepted the trust simply from a conviction that, if declined by them, it would fall into hands that would deal less justly with the rights and interests of their neighbors.[3] They took the oaths of office, and elected for their asso- 1680. January 1. January 22.

1 Journals of the Privy Council. The portrait and arms were lost at sea. (Mass. Arch., CXXVII. 118.) A copy of the commission to Cutts (called therein *Cutt*) and his Council is in the Archives of New Hampshire.

2 See above, p. 333.

3 Belknap, History of New Hampshire, I. Appendix, xxxiii. — On coming to Boston, Randolph wrote to Governor Winslow (January 29) an account of his proceedings at Portsmouth. The letter (for which see Mass. Hist. Coll., VI. 92) is interesting on several accounts. It indicates only too painfully a sympathy between the writer and Winslow.

Dr. Belknap's authorities for that portion of the history of New Hampshire which is treated in this chapter were the records and files of the Council, the records of the towns, "Fitch's Manuscript," "Weare's Manuscript," and "Vaughan's Journal." It is scarcely worth while to try to glean where Dr. Belknap has reaped. But I have desired to obtain whatever these documents might have further to yield. For this purpose, I have examined the documents of the Council and of the towns preserved in the State-House of New Hampshire, but without learning any additional facts of importance wherewith to enrich the narrative. I have sought in vain for information whether the papers of President Weare or of Captain Vaughan are still in existence. "Fitch's Manuscript" is in the Library of the Massachusetts Historical Society, having been found in the valuable collection of papers, the property of her father, lately presented to the Society by Miss Belknap. I have read it with care, but only to find that Dr. Belknap had exhausted its materials. It was composed in or about the year 1730, by the Reverend Jabez Fitch of Portsmouth. It consists of one hundred and seventy-five pages of small size, presenting "A Brief Narrative of Several Things respecting the Province of New Hampshire, in New England, in Four Chapters."

ciates Elias Stileman of Portsmouth, Samuel Dalton of Hampton, and Job Clements of Dover. They appointed Richard Martyn to be Treasurer, Elias Stileman to be Secretary, and John Roberts to be Marshal; and the President designated Richard Waldron as his Deputy. They issued writs convening an Assembly, to consist of two Deputies from Exeter, and three from each of the other towns, and appointed a Fast-Day to pray for "the continuance of their precious and pleasant things."[1]

March 16. When the members of the government thus organized came together, almost their first act was a grateful recognition of the benefits which had in times past been experienced from the government of Massachusetts.[2]

March 25. They framed a code of laws introduced by the provision, "that no act, imposition, law,

1 At this time the number of voters in the New Hampshire towns was as follows, viz.: in Portsmouth, 71; in Dover, 61; in Hampton, 57; and in Exeter, 20. (Belknap's History, &c., I. 177.)

2 "Portsmouth, in the Province of New Hampshire, March 25, 1680.

"Much honored:

"The late turn of Providence, made amongst us by the all-ordering hand, hath given occasion for this present application, wherein we crave leave, as we are in duty bound: First; thankfully to acknowledge your great care of us, and kindness towards us, while we dwelt under your shadow; owning ourselves deeply obliged, that you were pleased, upon our earnest request and supplication, to take us under your government, and ruled us well while we so remained, so that we cannot give the least countenance to those reflections that have been cast upon you, as if you had dealt injuriously with us. Secondly; that no dissatisfaction with your government, but merely our submission to Divine Providence, to his Majesty's commands, to whom we owe allegiance, without any seeking of our own, or desires of change, was the only cause of our complying with that present separation from you that we are now under; but should have heartily rejoiced, if it had seemed good to the Lord and his Majesty to have settled us in the same capacity as formerly. Thirdly; and withal we hold ourselves bound to signify, that it is our most unfeigned desire, that such a mutual correspondence betwixt us may be settled, as may tend to the glory of God, the honor of his Majesty, whose subjects we all are, and the promoting the common interest, and defence against the common enemy; that thereby our hands may be strengthened, being of ourselves weak and few in number, and that if there be opportunity to be any ways serviceable unto you, we may show how ready we are thankfully to embrace the same. Thus wishing the presence of God to be with you in all administrations, and craving the

or ordinance should be made or imposed upon them, but such as should be made by the Assembly, and approved by the President and Council."[1] They established inferior courts of justice, to be held in each of the towns of Portsmouth, Dover, and Hampton. They organized a military force under Major Waldron, consisting of four companies of infantry (one for each town), a troop of horse, and an artillery company for the fort in Portsmouth harbor.

Randolph and Mason in New Hampshire.

Almost simultaneously with the institution of the new government, Randolph began his operations at Portsmouth as Collector of the King's Customs. The master of a vessel which he seized brought an action against him, and obtained a verdict with thirteen pounds' damages. Walter Barefoote,[2] appointed by Randolph as his Deputy, was tried, convicted, and fined five pounds for "having, in a high and presumptuous manner, set up his Majesty's office of customs without leave from the President and Council, in contempt of his Majesty's authority in this place; for disturbing and obstructing his Majesty's subjects in passing from harbor to harbor, and town to town; and for his insolence in making no other answer to any question propounded to him, but 'My name is Walter.'" As in Massachusetts, however, orders were made for the execution of the Laws of Trade by officers appointed by the local authority.[3]

benefit of your prayers and endeavors for a blessing upon the heads and hearts of us who are separated from our brethren, we subscribe

"John Cutt, President,
at the consent of the Council
and General Assembly.

"To the honorable Governor and Council of the Massachusetts Bay, to be communicated to the General Court." (Mass. Rec., V. 280, 281.)

[1] This code, entitled "The General Laws and Liberties of the Province of New Hampshire," is printed by Farmer, in his edition of Belknap's History (I. 453).

[2] Belknap, Hist., I. 181; comp. 184, where a second similar transaction is related. — Barefoote was a factious person, who had been many years in the country before Randolph made his acquaintance.

[3] After all, the trade with Piscataqua River was small. In the ten months ending in April, 1681, only forty-seven vessels of different size were entered; and not half of them were ships. (Belknap, Hist., I. 187.)

It was time for Mason to be looking after his affairs in person. He came out armed with a *mandamus* from the Privy Council, constituting him a member of the Council for the Province.[1] He proceeded at once to molest the inhabitants by requiring them to take leases of their lands from him, and demanding rents for past occupation, under a threat of seizure and sale. The Council, stimulated to action by numerous petitions, peremptorily commanded Mason and his agents to desist from such annoyances. Thereupon he absented himself from the meetings of the Council. They sent to require his presence, under the penalty of their displeasure for contumacy. He replied by publicly summoning them to answer him before the King within three months. They issued a warrant for his arrest for "a usurpation over his Majesty's authority here established." He eluded it, and took passage for England. Three months before this, Richard Chamberlain had arrived, appointed by a commission from the King to supersede Stileman as Secretary.[2]

December 30.

[1] This document is printed by Belknap. (History, &c., I. App., xxxvi.)

[2] Chamberlain wrote to the Lords of the Committee May 14 and May 16, 1681. He says he arrived December 24, 1680. He calls the Rev. Mr. Moody of Portsmouth, "their Archbishop and Chief Justice too." He gives an account of the obstructions he met with in assuming his office. The Council "debated about three days, whether they should admit him or not"; and, when they determined to do so, they appointed other persons to perform his duties, and would give him no pay. He relates the earlier proceedings in organizing the Province. Cutts received his commission December 27, 1679. Waldron and Martyn (appointed Counsellors) were, he says, indisposed to act, and were refractory. Waldron and Moody went to Boston for advice. They consulted four days with the ministers, and determined that the commissions ought to be accepted, to avoid worse consequences. The new government promoted its partisans; and so Waldron was made Deputy-President, and commander of the militia. They fined and imprisoned Randolph's Deputy-Collector. They tried to prevail upon Chamberlain to take an oath of secrecy as Secretary, so that he might not divulge their tricks to the King. Chamberlain, on an application of the Lords of the Committee to Levins, Attorney-General, had been recommended by him as a lawyer competent to judge which of the local laws were repugnant to the laws of England. (Colonial Papers, &c.)

President Cutts died; and Waldron, who, according to the provision in the fundamental act, succeeded to the chief office, appointed Mr. Stileman to be his Deputy, while Waldron's son was elected to the place now vacant in the Council. But this government was too good to be allowed to last. Mason's representations in England took effect, and the Privy Council resolved to advise the King to remodel the administration of the Province. Mason was so fortunate as to fall in with a person, who at the same time was fit for his purposes, acceptable to the government, and in search of some way to get a living. This was one Edward Cranfield, said to have been of the family of the Lord Mounteagle,[1] who was concerned in the detection of the Gunpowder Plot. Cranfield meant to have good security for his pay; and it was agreed between him and Mason, that, if he should obtain from the crown a commission as Governor of New Hampshire, with an allowance of all fines and forfeitures, Mason should further allow him one fifth part of all sums received as quitrents, and should secure to him an annual income of a hundred and fifty pounds, for seven years, by a mortgage on the lands of the Province for a term of twenty-one years. And an instrument of this tenor was enrolled in the Court of Chancery.[2]

1681. March 27. April 5.

Edward Cranfield, Governor of New Hampshire.

1682. January 25.

The job was all arranged, and the commission was issued. It authorized the Governor to convoke, prorogue, and dissolve General Courts, which were to continue to consist of a Council and Chamber of Deputies; to refuse to approve Acts of the two Houses,

May 9.

1 Farmer's edition of Belknap's History, I. 113.

2 Dr. Belknap (History of New Hampshire, I. 188) says, on the authority of "Fitch's MS.," that Cranfield, for this remuneration, "relinquished a profitable office at home." It could scarcely have been very profitable, to be exchanged for such pay. Probably the inducement was a chance of escape from beggary.

which should thereupon be void; to remove Counsellors, who should thenceforward be incapable of serving as Deputies; to constitute courts of judicature; to appoint a Deputy-Governor, and judicial and military officers; and to administer admiralty jurisdiction. Cranfield was made Governor. All of the former Counsellors who were still living were retained, including Mason, who came back with the Governor; and Barefoote and Chamberlain were added to the list.[1] So far as Waldron and Martyn were concerned, the nomination seemed to have been intended only to prepare the way for an affront; for almost the first act of Cranfield, on arriving at the seat of his government, was to dismiss them from the Council.[2] He gave Chamberlain the lucrative offices of clerk of all courts of judicature, and registrar of deeds and wills.[3] He summoned an Assembly; and a new code of laws was promulgated, from which was omitted the provision that only laws enacted by the local legislature should be of force in the Colony.

Cranfield's oppressive administration.

October 4.

October 10.

October 23.

November 14.

A very few weeks had passed, before Mason and his viceroy fell out. Cranfield's eyes were opened about many things. He had been "not fairly treated by Mr. Mason and Chamberlain." He had recalled Waldron and Martyn to the Council, "finding them to be persons very useful for his Majesty's ser-

December 1.

[1] For a copy of this commission see Mass. Arch., XX. 13. I have also seen two copies in the Archives of New Hampshire, accompanied with a set of instructions. An abstract of it, found among President Weare's papers, is in New Hampshire Hist. Coll., I. 261.

[2] October 23, Cranfield wrote to the Lords of the Committee, informing them that he arrived at Salem, October 1, and installed himself in office at Portsmouth, October 4. He found a military force of four hundred and fifty men badly armed and trained, of whom sixty were mounted troops. At Portsmouth there was a timber fort "extraordinary well situated," with eight bad guns. (Colonial Papers, &c.) — In this month or the following, the Governor and Randolph exhibited "Articles of High Misdemeanor" against Waldron and Martyn for obstructing Randolph's proceedings as Collector. (Ibid.)

[3] New Hampshire Archives.

vice," and "nothing to render them guilty of such disloyalty as they were charged with"; while Mason had "much misrepresented the whole matter, both as to the place and people," and "taken wrong measures for his procedure." The Governor had found the Province by no means either so rich or so mutinous as it had been described. "The Massachusetts never exercised authority over them, till desired by themselves; and as for taxes, the people owned that the Massachusetts had expended several thousands for them in the Indian war, that they never had any compensation for." The people attributed Mason's vexatious treatment to Chamberlain's influence with him. Mason had supposed that he might make himself master by ousting Waldron and Martyn, "and discountenancing the minister of the principal place in the Province." "I find him [Mason]," wrote the Governor, "very uncapable of business; . . . . . whether out of original inability, want of experience, dejectedness through poverty, or being deceived in his expectations of the profits of his place, I say not."[1] "The true state and condition of them," he reported, "is very mean, there not being ten men with £500 each."[2]

One fruit of the altered relations of the parties was a tax laid by the Assembly to the amount of five hundred pounds, of which sum they appropriated one half as a gratuity to the Governor. They probably hoped thus to secure his good-will, to protect them against the plots of Mason. But whether it was, that Cranfield had now attained the object of his apparent friendliness, or merely that the new alliance had no reasonable basis, it was speedily broken.[3] At the next meeting of the Legislature, which took place after a short 1683. January 20.

1 Colonial Papers, &c. Letter to the Lords of the Committee, Dec. 1, 1682.

2 Colonial Papers, &c. Letter from Cranfield, written in December, but of which the address is wanting.

3 Possibly one element in the Governor's fresh disgust was the determined repugnance of his subjects to the execution of the Laws of Trade. December 30, Randolph wrote to the

interval, the Governor and the Assembly differed respecting several measures; and he exercised his extraordinary power to dissolve it, — a high-handed proceeding, for which there had been no precedent in New England. As a measure of precaution, he dismissed Stileman from the charge of the fort at Portsmouth, and gave the command to Barefoote.[1]

Lords from the "Province of New Hampshire," that, on the trial of a vessel which he had seized, "the jury, encouraged by the arbitrary and successful verdict of the Lord Shaftesbury's jury at the Old Bailey, now become a leading precedent to the factious here, ... did bring in a verdict with costs against his Majesty." (Colonial Papers, &c.)

[1] Cranfield's relenting mood had been transient. December 30, 1682, he wrote to the Lords of the Committee, asking power "from his Majesty, and also from my Lord of London, under whose diocese the foreign plantations are, to remove all such their preachers who oppose and endeavor to disturb the peace of this government, which method will be necessary to be observed in the settlement of the Bostoners' Colony, and also in the Province of Maine." (Ibid.) — Between the two sessions of the Legislature which are mentioned above, he made a visit to Boston. "My last," he says, in a letter to the Lords of January 10, 1683, "was at Boston, where I spent time enough to pry into the secrets of some of the faction. . . . . If his Majesty should see fit to send a *quo warranto* to Mr. Randolph, and show the Governor, Magistrates, and General Court that in one hand, and a commission with a general pardon in the other hand, I have good assurance from both parties the latter will have a kind reception, without putting his Majesty to any further charge or trouble. They will swallow all that is in my commission. . . . . It is absolutely necessary that all the preachers are to be placed or displaced as the Governor shall think fit; for I find they have so great an influence upon the people, and so apt to disturb the peace, that I shall not be able to govern this small Province without that power." He desires the Attorney-General's opinion "whether a Scotsman born can be permitted to inhabit and trade as a merchant or factor, they pretending a right thereto as being born within the allegiance of our sovereign lord the King." Again he writes (January 23): "When I was in Boston, at the request of the Magistrates, I writ to my Lord Hyde a letter to introduce their agents to his Lordship, presuming at this time it might be of use to his Majesty's service, they being ordered to tender £ 2,000 for a pardon. Though I was certain it would not be accepted, yet it was a kind of pleading guilty. I was sure his Lordship, who well know [*sic*] that the dissolution of that government was of so great an importance to his Majesty's concerns, that one hundred thousand pounds would not make good the loss his Majesty would sustain in a few years, were they tolerated. Therefore my letter served only as intelligence how matters stood here, and what I writ in their favor was only in design to insinuate myself into their counsels." (Ibid.) This perfidious transaction of Cranfield — for he it was that

The dissolution roused the people into a fury. Edward Gove, a Deputy from Hampton to the recent Assembly, gathered a little company, with which he went about among the towns, calling upon the inhabitants to aid him in securing "liberty and reformation." With eight of his associates he was apprehended, and immediately arraigned for high treason. All were convicted; but all were presently set at liberty except Gove, who was sentenced to suffer the penalty of treason, with its odious accompaniments specified by the law of England.[1]

Insurrection in New Hampshire.

February 1.

advised the attempt at bribing, (see his letter to Lord Clarendon of December 11, 1682, in Mass. Arch., VI. 271,) which failed from being made with the wrong person — occasioned much mortification to Massachusetts and to her friends in England. "Truly, Sir, if you was here to see how we are ridiculed by our best friends at Court for the sham Cranfield hath put upon you, it would grieve you. I will assure you, whatever letters he hath shown you, his Majesty last night told my friend that he had represented us as disloyal rogues." (Letter of Dudley to Bradstreet, in Hutch. Hist., I. 303, note.)

February 20, Cranfield wrote to Secretary Jenkins: "I took a journey to Boston, and other places in that Colony, ... and upon good grounds believe that, should his Royal Highness survive his Majesty, such is their general aversion, encouraged and buoyed up by the Non-conformist party in England, that at once they will fall off from their allegiance to the crown. It is therefore very necessary that the whole country be brought to a thorough regulation. It is also equally necessary that his Majesty send a frigate to attend till such a regulation be completed by putting the government, together with militia, castles, and forts, into the hands of loyal and honest gentlemen, and the factious made incapable ever after of altering or disturbing that government." (Colonial Papers, &c.)

[1] In the collection of "Colonial Papers, &c.," is "A Short Narrative of the Transactions and Rebellion in the Province of New Hampshire, in New England, 1682, presented [to the Lords of the Committee] by Edward Randolph, his Majesty's Collector"; also a copy of the minutes of Gove's trial. A copy of the former paper is in Mass. Arch., III. 463 – 465.

February 20, 1683, Cranfield informed the Lords of the conviction and sentence of Gove, and, at the same time, of his having become again alienated from Waldron and Moody, and well affected towards Randolph. (Colonial Papers, &c.) Waldron sat as presiding Magistrate at Gove's trial. — Farmer, in his edition of Belknap's History (I. 99, note), has printed a letter written by Gove (January 29) while he was in gaol awaiting his trial, the tenor of which well accords with that statement of his being insane which was subsequently urged in the suit for a pardon. "He fell into his crime by reason of a distemper of lunacy, or some such like, which he hath been subject unto by times from his youth, and yet is until now, as his mother

The result of this mad outbreak made Cranfield's position more secure, but at the same time rendered it more disagreeable. He caused notice to be given that all the inhabitants must take leases from Mason within a month, under pain of having their failure reported to the King, and being made liable to the forfeiture of their claim to a pre-emption. Having displaced Waldron and Martyn from the Magistracy a second time, and appointed Barefoote to be Deputy-Governor, he repaired to Boston, where he considered that no little of his business lay, and where henceforward much of his time was spent.[1]

Renewed misgovernment.

was before him." (Hannah Gove's petition to the King, in Colonial Papers, &c.) — "Major Pike, one of the Magistrates and of the faction in Boston government, came to me the night before Gove's trial, with several depositions to certify that Gove was a distracted man, hoping by that means to avoid his prosecution." (Cranfield to Secretary Jenkins, February 20, 1683, in Colonial Papers, &c.) Gove was sent to Boston under a strong guard, and thence brought by Randolph to England, where he was committed to the Tower. "I cannot, with safety to myself or the peace of the country, keep him [Gove] longer in custody; for, besides the great and daily charge of guards upon him, I have cause to fear that the soldiers in time may be remiss or overpowered, and so he be set at liberty. . . . . If Gove escape the sentence of the law, there is an end of his Majesty's business in New England." (Cranfield to Secretary Jenkins, Ibid.) "I have brought over with me in chains one Edward Gove," &c. (Ibid., in letter of Randolph to Sir Lionel Jenkins, from Exeter [England], May 29.) — "I received last night a prisoner by your warrant. . . . . The fellow is poor, and I desire to know what the King will allow him for maintenance. I keep . . . . . one to lie in his chamber, and one never to be out of his sight." (Ibid., in letter of Thomas Cheek, Lieutenant of the Tower, June 7, to Sir Lionel Jenkins.) — June 11, Gove wrote "to his honored friend, Edward Randolph, Esq., at the Plantation Office," begging him "to assist him with some money in his necessity," and to interest himself to obtain a pardon. "Had I known the laws of the land," he writes, "to be contrary to what was done, I would never have done it. You may well think I was ignorant of any law to the contrary, since for fourteen years past the same thing hath been done every year, and no notice at all taken of it." (Colonial Papers, &c.) — Gove was kept in confinement nearly a year, at least; for May 28, 1684, he petitioned the Privy Council that he might be relieved from his irons, and have the liberty of the Tower. (Journals of the Privy Council.) According to "Fitch's Manuscript," he was not discharged till after the Revolution. But this is a mistake. He was pardoned by King James, and returned to America in 1686. (Dudley's Council Records.)

1 "This week I had an opportunity to converse with Mr. Hinckley, Gov-

The passing year was a critical one for Mason. The places of Daniels and Clements, who had died, and of Gilman, Waldron, and Martyn, who had been dismissed, having been supplied by Randolph and by creatures of the Governor, and the sheriffs (and accordingly the jurors) being selected from among the few persons who had been bribed or frightened into taking out new leases, Mason, who had himself been made Chancellor, entered on the judicial prosecution of his claims with every favorable prospect. The first suit which he brought was against Waldron, who, having been overruled in his challenge of the jurymen, as being tenants of Mason, and therefore interested persons, made no defence, and was defaulted with heavy costs. The same course was taken with all the principal landholders. But the futility of it was exposed when the executions were levied. Nobody would venture to buy the forfeited lands, or attempt to take possession of them. Another tyrannous proceeding

ernor, and Mr. Lothrop, one of the Magistrates, of New Plymouth Colony. I find them weak men, and very unfit to be concerned in government. . . . . He [Mr. Randolph] is able to give your Lordships a full and perfect relation of the present distraction which he hath luckily occasioned in this government." (Colonial Papers, &c., in Cranfield's letter from Boston, of March 27.) — Barefoote took the opportunity of Cranfield's absence in Boston to try his hand at a correspondence with his betters. He informed the Lords of the Committee that he had been "an inhabitant of this Province above five and twenty years," and had "married into the wealthiest families of this country." "Though," he wrote, "the Massachusetts exercise no authority in this Province, yet they influence things as they please, there being a strict confederation between the ministers and church-members of this Province and those of the Massachusetts Colony, who govern and sway the people as they please. No Pope ever acted with greater arrogancy than those preachers who influence the people to their fantastic humors, and debauch them from their duty and obedience to his Majesty and his laws, and are ever stirring them up to disloyalty, and intermeddling in all civil affairs, and censuring all persons and actions that agree not with their principles and peevish humors." (Ibid., in Barefoote's letter to the Lords of the Committee, in March.) — June 19, Cranfield wrote from Boston to Sir Lionel Jenkins. Since Randolph's departure, he says, "I have spent my time in this Colony on purpose to pry into the intrigues and politics of this government. . . . . Among other things, I have observed that there can be no greater evil attend his Majesty's affairs, than those pernicious and rebellious p ciples which flow from their Col-

was the prosecution of Martyn, recently Treasurer, for the moneys which he had received in that capacity. He showed that he had disbursed them according to the orders of the President and Council; but this did not save him from an adverse judgment, and he could obtain no further relief than was afforded by a decree of the Chancellor, dividing the responsibility among all who had been Counsellors with him.[1]

The despotism of Cranfield and his colleagues was unchecked and impudent. They excluded Massachusetts vessels from their river, on account of alleged violations, in that Colony, of the Laws of Trade. They put an arbitrary valuation on silver coin. They altered the boundaries of the towns; forbade the collection of town and parish taxes, till taxes assessed for the Province should have been paid in; and in various other ways made the people feel the weight of a yoke which the imprudence

lege at Cambridge, which they call their University, from whence all the towns, both in this and the other Colonies, are supplied with factious and seditious preachers. . . . . This country can never be well settled, or the people become good subjects, till the preachers be reformed, and that College suppressed. . . . . If the Boston charter were made void, and the chief of the faction called to answer in their own persons for their misdemeanors, and their teachers restrained from seditious preaching, it would give great encouragement to the loyal party to show themselves." (Colonial Papers, &c.) Writing to the Lords of the Committee the same day, he says that, in his own government, his "endeavors to quiet the spirit of those unmanageable creatures" were frustrated "by the influence of Moody, their teacher, Waldron, and three or four more, who have long had the dominion." The College was still heavy on his mind. "When the charter shall be made void, it will be necessary to dissolve their University of Cambridge, for from thence all the several Colonies in New England are supplied. . . . . By taking away their University, which will also be forfeited with their charter, the effect will cease, for all other ways will be ineffectual, the fountain being impure. . . . . The Bostoners, principals in matters of government, debauches all the neighboring Colonies." (Ibid.) — October 19, he again brought the nuisance of the College to the attention of the Lords of the Committee, assuring them that the people of New England would never cease to give trouble to the government at home, till "the College at Cambridge was utterly extirpated, for from thence those half-witted philosophers turn either atheists or seditious preachers." (Ibid.)

[1] Farmer's edition of Belknap, I. 103; N. H. Archives, Council Papers, 79.

of the recent rebellion showed the difficulty of throwing off. Whatever hope remained seemed to rest on the clemency of the King. It was resolved to solicit his intervention. A private contribution was made to defray the expense; and Nathaniel Weare, of Hampton, was engaged to carry the petitions of the four towns to the foot of the throne. Accompanied by Vaughan, one of the dismissed Counsellors, he made his way to Boston, whence he sailed to England. Vaughan, who was to obtain some papers to send after him, was arrested on his return to Portsmouth, and required to find security for his good behavior. Having refused, he was by the Governor's warrant committed to jail, where he lay nine months.[1]

[1] Belknap, History, &c., I. App. l.–lxiv.; N. H. Archives, Council Papers, 69. — Among the "Colonial Papers" constantly referred to in these notes is a copy of a Proclamation issued by Cranfield, September 30, 1683, for a Thanksgiving for "the discovery of a most execrable design, ... carried on by fanatic dissenters and atheistical persons, ... to the intent to destroy both his Majesty, the best of princes, and all his good subjects and their generations yet to come." The discovery of the Rye-House Plot was in June of this year; see above, p. 262. — October 19, Cranfield wrote from New Hampshire to Sir Lionel Jenkins, that the government of the Colonies of Connecticut and of Plymouth, as well as of Massachusetts, ought to be assumed by the King, "the humor of the inhabitants and method of the government being the same with Boston, as corrupt, but much more ignorant. . . . . If his Majesty did but know what a mean and scandalous sort of people the Rhode-Islanders are," he would, Cranfield thought, include them too in the reform. "A true reformation can never be expected as long as the University here (called Cambridge) sends forth such rebellious trumpeters. . . . . Without doubt, they have corresponded with the faction in England, much to the prejudice of the peace and welfare of his Majesty and his affairs. I have been credibly informed here that they knew of the late horrid plot; and, were there an order, and power to back it, to search some of the ministers' and laity's papers, I question not but there would be found treasonable letters that would evidently make out their knowledge of this damnable conspiracy against his Majesty and Royal Highness, ... some of their party having let fall words about six months since, that great troubles were like to be in England." (Colonial Papers, &c.) — November 15, he informed the Lords of the Committee that Mason had obtained thirty or forty judgments, but that they were useless, on account of the resistance made by the people to the service of the executions. Officers were opposed, and compelled to desist; and the Governor did not think it prudent to call out the *posse*, "fearing it might bring blood and

Enforced by poverty to convoke the Provincial Legislature again, the Governor informed them that he had intelligence that there was danger of a foreign war, and of an invasion of the Province by the King's enemies;[1] and he presented to the Assembly a bill, which, reversing the proper order of procedure, he had already caused to be passed by the Council, appropriating money for the repair and supply of the fort at Portsmouth, and for other expenses of the government. The Assembly refused to enact the bill, and Cranfield revenged himself by dissolving it, and by causing several of the members to be chosen constables for the year, — an appointment which could not be escaped but by the payment of a fine.[2]

1684. January 14.

Moody, the minister of Portsmouth,[3] was especially an object of his dislike. The Governor had lately issued an order that the ministers should admit all persons of suitable years, and not vicious, to the Lord's supper, and their children to baptism; and that, if any person should desire to have either of the Christian ordinances administered according to the English rubric, any minister refusing so to administer it should incur the penalties of the Act of Uniformity.[4] He now sent a message to Moody, requiring him, on the following Sunday, to administer the Eucharist in that form to himself, and to Mr. Mason and Mr. Hinckes of his Council. The minister refused, and was indicted and tried for the offence, as a transgres-

confusion, being incited and stirred up by Mr. Moody, Major Waldron, and Captain Vaughan." (Ibid.)

1 N. H. Archives, Council Papers, 70.

2 Ibid., 103, 104.

3 Seaborn Cotton (*Marigena* Cotton, as he stands in the College Catalogue) was minister of Hampton; and John Pike, of Dover. Exeter had no minister. (Ibid., 107.)

4 The order is printed by Dr. Belknap (History, &c., I. App. xli.). — "It will be absolutely necessary to admit no person into any place of trust, but such as take the sacrament, and are conformable to the rites of the Church of England..... And I utterly despair of any true duty and obedience paid to his Majesty until their College be suppressed and their ministers silenced." (Cranfield to the Lords of the Committee, January 16, Ibid.)

sion of the Act of Uniformity. He was convicted, and sentenced to be imprisoned for six months, and his "benefice" was declared forfeit to the crown. Two of the Magistrates, who dissented from this judgment, were deposed from office.[1] The Governor informed Cotton, minister of Hampton, that he intended, "when he had prepared his soul, to come and receive the sacrament from him." Cotton did not wait for the visit, but went to Boston.

Cranfield, with his obsequious Council, now proceeded to the extreme length of levying taxes without the action of an Assembly. The pretence was an alarm of invasion from the Eastern Indians. Great military preparations were made;[2] and the Governor went to New York to endeavor to make arrangements with Governor Dongan to engage an auxiliary force of Mohawks.[3] He gave further offence to Massachusetts by exacting duties from vessels trading to the eastern side of the Piscataqua, which was within the border of Maine.[4] February 14.

The Lords of the Committee wrote to Cranfield, censuring his course in causing the claims of Mason to be adjudicated upon in the Province, instead of referring them to England according to his instructions, and in presuming to fix the values of current coin.[5] Weare, the messenger from New Hampshire, remained for several months inactive in England, sending repeatedly for the papers corroborative of his representations, which Cranfield took care that he should not receive. At length, despairing of being able to do better for the present, he presented to the Privy Council a memorial, which charged the Governor, April 15. July 11.

1 N. H. Archives, Council Papers, 71 – 75; Belknap, History, &c., I. App. xlii. – xliv. — For a noble letter of Moody, while in confinement (February 12, 1684), to Governor Hinckley of Plymouth, see Mass. Hist. Coll., XXXV. 116.

2 Belknap, History, &c., I. App. xliv. – xlvi.

3 N. H. Archives, Council Papers, 145.

4 Mass. Rec., V. 444.

5 Colonial Papers, &c.

under several specifications, with illegal and oppressive administration.[1] The memorial was referred to the Lords of the Committee,[2] who treated it with respect. They sent a copy to Cranfield, and demanded his reply, charging him at the same time to desist from placing obstacles in the way of the party which was collecting evidence to inculpate him.[3] He was now utterly disappointed in his expectation of making a fortune, and disgusted with the vexations of the contest which he had dishonestly provoked; and, before receiving this order, he had written home, asking to be relieved from his post. The King in Council gave him permission to appoint a Deputy, and "to go to Jamaica or Barbadoes for the recovery of his health, which he alleged to be much impaired by the severity of the cold."[4]

July 23.

May 27.

August 8.

The attempt to enforce payment of the illegally assessed taxes led to general disorder. The constables reported that they could collect no money. They were ordered to proceed by the process of distraint; but when they had succeeded, through many difficulties, in seizing property, and offered it for sale, nobody would venture to buy. The people grew more turbulent,[5] when a

Renewed disturbances.

1 The memorial is in Belknap, History, &c. (I. App. lxvi.) — Cranfield issued a proclamation, May 16, convening a General Assembly to be held on the 27th. (N. H. Arch., Council Papers, 101.) But the holding of elections was resisted (Ibid., 103), and I find no record of a meeting.

2 Journals of the Privy Council.

3 After receiving this order, Cranfield wrote to the Lords, October 16. In respect to the very important point of authority to set up courts of judicature without the consent of the Assembly, he maintained that the words "*and they*" in his commission — words understood to denote the Assembly, and to give them a concurrent power — were inserted by a mere clerical error, and that such had been the decision of both Council and Assembly. (Colonial Papers, &c.; N. H. Arch., Council Papers, 131.)

4 Colonial Papers, &c.; Journals of the Privy Council.

5 May 14, Cranfield wrote to the Lords of the Committee that the Indians in Maine had been very disorderly. He hoped no war would come, "not having twopence in the treasury," and being unable to prevail on the Province to grant him any relief. He gives "an account of what an insolent speech was made by Mr. Mather,

rumor got abroad that the Governor was soon to leave them. At Exeter they drove off the Marshal, the women having prepared boiling water and red-hot spits to use in support of the men's cudgels.[1] From Hampton he had to withdraw with a beating and the loss of his sword, and was escorted thence to Salisbury on horseback, with a rope round his neck, and his legs tied under the horse's belly. Robie, one of the Magistrates, attempting to seize some of the mob, was himself assaulted.[2] The troop of horse was ordered to parade under Mason, to put down the insurrection; but, on the appointed day, Mason found himself alone at the field of rendezvous.[3] From these storms, when at their height, Cranfield, availing himself of the leave of absence which he had secured in time, withdrew to the more tranquil atmosphere of the West Indies, taking passage privately at Boston.[4] Barefoote was left at the head of the government.

December 29

1685. January 22.

January 9.

Departure of Cranfield.

the minister of the North Church in Boston, and Mr. Nowell, one of the Magistrates, ... at a town meeting [see above, p. 388]; . . . . . also that a minister near Boston . . . . . declared that Hugh Peters was unlawfully put to death, and died a martyr." (Colonial Papers, &c.) — May 23, Cranfield and Mason wrote that, since Robert Wadleigh's return from London, the people had become more ungovernable than ever; "he hath put the people of this Province into such a ferment and disorder." (Ibid.)

[1] N. H. Arch., Council Papers, 138.

[2] Ibid., 142, 143.

[3] Ibid., 144.

[4] "I esteem it the greatest happiness that ever I had in my life that your Lordships have given me an opportunity to remove from these unreasonable people. . . . . I humbly beseech your Lordships not to order my return to these parts; for I have neither health nor those happy abilities to serve his Majesty so well as the necessity of his affairs at this juncture of time doth require." (Cranfield, to the Lords of the Committee, January 6, 1685, in Colonial Papers, &c.) In the same letter he says that he has made Robert Wadleigh a Counsellor and Justice, "he having showed himself, since his return from England, well affected to his Majesty's service." Wadleigh, "of Great Island [in Portsmouth harbor] in New England," was known to the Privy Council as having "personally come over, to his great trouble and charge, to answer the appeal of Walter Barefoote, Esq." (Journals of the Privy Council, for October 4, 1683.)

July 10, 1685, Cranfield sent his thanks to the Lords of the Committee

Of the Confederate Colonies, Massachusetts alone had hitherto been annoyed by Randolph and his employers and associates. Plymouth and Connecticut he had as yet seemed disposed rather to favor and flatter than to disturb. It was with the claims of Massachusetts that the pretensions of Mason and Gorges conflicted; and it was plain that, if Massachusetts should be broken down, the other Colonies would be an easy prey, and that, while the struggle was going on, a show of royal favor to them would strengthen the royal cause by creating jealousies among the parties to the colonial alliance.

Condition of Plymouth. 1680. June 30.

An account of the condition of Plymouth at this period was given by the Magistrates in answer to a series of inquiries which had been sent to them by the Lords of the Committee for Trade and Plantations. They represented that they had a military force of twelve hundred men, between the ages of sixteen and sixty. At the town of Plymouth was a fort, mounting three guns. Their commodities for trade were fish, meat, a little grain, horses, tar, and timber. "Slaves we have very few," they said, "except Indian women and boys taken in the late war. . . . . If any are worth two thousand pounds, such are very rarely found among us. . . . . We are a people of various persuasions. . . . . To all these we give equal respect and encouragement, except the Quakers; and them we disturb not, if they do not disturb the peace. . . . . In seven years have been born to us about eight hundred children." Within the same time there had been about four hundred

"for giving him the liberty to remove from a country which proved ungrateful to his health." (Colonial Papers, &c.) But his distemper was such as West India air had not the virtue to cure. He applied to the Lords of the Committee, from Jamaica, (August 28, 1685,) for leave to go home, "the opinion of the physicians having been given that those coagulated and congealed humors that were settled in his legs could not be thinned and dispersed without the benefit of the bath in England." (Colonial Papers, &c.) — He "went off in 1685; after that to England; and from thence came Collector to Barbadoes." (Fitch's Manuscript.)

and fifty marriages, and about five hundred and forty deaths.[1]

Plymouth recovered but slowly from the exhaustion consequent upon the Indian war. Two or three years passed after the close of that conflict before the King's advisers became curious about it.[2] Then the Magistrates of Plymouth received "letters from his Majesty, whereby it appeared that the Colony suffered blame for that his Majesty had not received a particular account of the transacting of matters relating to the late war with the Indians. . . . . The premises considered, ... 1679. July 4. they saw cause to speed away another address to his Majesty, therein to present him with a true intelligence of matters, and to remove the misinterpretation of their intentions and proceedings respecting the premises." A memorial to the King, previously drawn up by the Governor, was "unanimously approved" by them, as "hopeful, through the blessing of God, to procure a renewed continuance of the King's favor; . . . . . and also the honored Court renewed their solicitation of his Honor

1 Colonial Papers, &c.

2 June 26, 1677, Winslow addressed a letter to the King, for which he "craved pardon," declaring it to "flow from no other fountain but the loyalty of his heart and affection for his Majesty's person." He said that by his public employments he had been disappointed of "obtaining the happiness to see the prince in whom the nations that were his subjects were so happy," and therefore took this method to ask the royal approbation of the conduct of his Colony in the recent war. And he asked the King's "favorable acceptance of a few Indian rarities; being the best of their spoils, and the best of the ornaments and treasure of Sachem Philip, the grand rebel, the most of them taken from him by Captain Benjamin Church, a person of great loyalty, and the most successful of their commanders, when he was slayed by him; being his crown, his gorge, and two belts of their own making of their gold and silver." (Ibid.) Possibly a question might have been raised about the authenticity or the value of these regalia of Philip. But they never reached the King's hands. May 1, 1680, when the questions of a charter, and of the lands of Mount Hope, were again agitated, Winslow wrote to Secretary Coventry that he believed they had been wrongfully detained by Major Waldegrave Pelham, his wife's brother, to whom they had been intrusted for presentation, and of whom he complains as having wronged him in other ways. (Ibid.)

to prosecute the said weighty design in their behalf with all possible expedition, who lovingly undertook the same."

The "weighty design" here vaguely indicated could have been no other than the obtaining of that charter from the King, which for sixty years had so often and so delusively seemed within the grasp of the people of Plymouth. Whether any steps were immediately taken in relation to it does not apppear. But in the next year new encouragement was derived from a royal letter, "wherein was expressed his Majesty's favorable aspect on the Colony, with his settlement of Mount Hope thereon, with a further notification of his gracious candor in adding promises of further grace."[1] In consequence, a formal address, signed by Governor Winslow for the General Court, was presented to the King. They thanked him for taking notice of the defect "which the largeness of his royal understanding espied in their former charter, ... not so easy for themselves to discern." This condescension, they said, both influenced and animated them — "notwithstanding the deep sense of their own inaptness to speak unto their lord the King" — to pray for a "continuance of their civil privileges and religious liberties in the walking with peaceable and loyal minds in the faith of the Gospel, according to the order of the Gospel." They presented a brief sketch of the origin and growth of their Colony, setting forth its services as the pioneer to other New England settlements. And they prayed that it might "please his most excellent Majesty, of his especial grace and mere motion, to favor them with his gracious letters patent for their incorporation into a body politic, with singular the privileges as his Majesty had been accustomed to grant,

1680. June 1.

Solicitations of Plymouth for a charter.

September 5.

[1] Plym. Rec., VI. 36; comp. Secretary Coventry's letter to Governor Winslow, in Mass. Hist. Coll., XXXV. 31.

as to other Colonies, so to his Majesty's Colony of Connecticut."[1]

This was the last public act of Josiah Winslow. He died within four months after the date of the petition.[2] He was a brave and capable officer; a man worthy of all esteem for the virtues of private life; and a conscientious and wise administrator of the internal affairs of his government. He cannot be described as a New-England patriot of the highest type. He did not, indeed, like Joseph Dudley, tread backward over his father's steps; but his course, like John Winthrop's, of Connecticut, diverged from the path of parental example. The bold and generous policy of Massachusetts had no effectual support from him. Lord Clarendon's Commissioners found him pliant. Randolph reported him as being well affected to the pretensions of the crown. It is not necessary to suppose that he was influenced by personal motives of a sordid kind. Jealousy of Massachusetts, which Colony was apt to be suspected of an encroaching disposition, may have done something towards throwing him into sympathy with the courtiers. But it may be presumed that what chiefly swayed his mind was that dream of a royal charter, which all along tamed the courage of Plymouth on occasions of dispute with the crown. Plymouth, uneasy at having no other basis for her legal existence than a patent from the long-defunct Council for New England, constantly flattered herself with the hope of exchanging it for a royal charter, as Massachusetts had early done in a similar case. It

Death of Governor Winslow. December 18.

1 Chalmers, Annals, 105 – 108.

2 Josiah Winslow was the first Governor of any New-England Colony that was born on this side of the water. He was present at the Court held October 27, less than two months before his death. Till this year Plymouth had never had a Deputy-Governor. Thomas Hinckley was chosen to that office, June 1, 1680. (Plym. Rec., VI. 34.) In the following year, when Hinckley succeeded Winslow as Governor, James Cudworth was chosen Deputy-Governor. (Ibid., 59.) Cudworth died the same year, and William Bradford succeeded in 1682. (Ibid., 83.)

seemed hard that, orderly and inoffensive as she was, she should be denied what had been so easily accorded to Rhode Island and Connecticut. As often as she expressed that hope, she was beguiled by a complaisant reception of her suit at court. Governor Prince cultivated the favor of Nicolls and his associates, and Winslow secured the good graces and the good word of Randolph and of Lord Culpepper.[1] The course which was pursued by them, especially by Winslow, while it proved fruitless for its object, made a breach in the undivided front which it was desirable for New England, at this crisis, to be able to present.

The Address of the government of Plymouth was carried to England by James Cudworth, of Scituate. His death, soon after his arrival, deprived the Colony of the most eminent of its citizens, now that Winslow was no more. The General Court appointed a day of humiliation and fasting to be kept, to pray for the success of their application to the King,[2] and for the prosperity of the Church universal. Thomas Hinckley, of Barnstable, who had been twenty years an Assistant, was chosen to the vacant place of Governor.

1681. March 1.

After nearly two years more of disappointed hope, the General Court sent to England the Reverend Mr. Ichabod Wiswall, of Duxbury, as their "agent to petition for confirmation and enlargement of their letters patents."[3] They ordained another fast-day to entreat that God would "graciously protect and pre-

1683. February 6.

[1] "Mr. Randolph [July 7, 1680] was admitted to be a freeman of this corporation and sworn." (Plym. Rec., VI. 46.) Singular proceeding as this was, there is no doubt that the honored freeman was Edward Randolph; for in a letter to Governor Hinckley, November 24, 1683, he speaks of himself as "a member" of the Colony. (Mass. Hist. Coll., XXXV. 97.) — "My Lord Culpepper attends [April 16, 1681], and gives their Lordships an account . . . . . that the Colony of New Plymouth is very well inclined to his Majesty's government, and does therefore deserve to be encouraged, which their Lordships will report to the Council." (Colonial Papers, &c.)

[2] Plym. Rec., VI. 57.

[3] Ibid., 99.

serve" their agent, and "prosper his way to the other England, and give them to find favor in the eyes of their lord the King, and in due season return a comfortable answer to their desires."[1] "Understanding . . . . . by the friendly courtesy of Mr. Randolph, that God was graciously pleased to deliver the King's sacred person from that late horrid treasonable conspiracy," the Rye-House Plot, they commemorated the deliverance by a day of thanksgiving; and, in making this known to the King, they lamented "the mislaying of the copy of their former patent sent over by Governor Winslow," and added that "now, having sent over another copy of the patent, they had found it in their hearts to renew their supplication that his Majesty might graciously please to give direction that a bill might be prepared for his royal signature."[2] But all would not do. Plymouth never got a royal charter.[3]

November.

1 Plym. Rec., VI. 101.

2 Hinckley Papers, in Mass. Hist. Coll., XXXV. 98. This paper was presented to the Lords, February 21, 1684. (Colonial Papers, &c.)

3 July 4, 1684, an Act was passed making it a felony in any subject of Plymouth, contrary to the King's treaties and proclamations, "to serve in America, in an hostile manner, under any foreign princes, or any employed under any of them, against any other foreign prince, state, or potentate, in amity with his Majesty." (Plym. Rec., VI. 136.)

There was similar legislation at the same time in the other two Confederate Colonies. (Mass. Rec., V. 446–448; Conn. Rec., III. 150–155.) It was in compliance with an urgent demand from the King, transmitted by Jenkins, Secretary of State. Spain had complained of buccaneering expeditions of Englishmen against her possessions in the American seas, as being in violation of the Treaty for America, concluded in 1670. The King accordingly issued a most menacing proclamation against his subjects engaged in such transactions. At the same time, it was understood that the royal scoundrel was receiving a share of the plunder; and it was just about the time of the date of his virtuous letter to the Colonies that he conferred knighthood on the Welsh pirate, Sir Henry Morgan. (Edwards, History of the British Colonies in the West Indies, I. 212.)

The King's injunction to his American subjects to abstain from entering the service of "foreign princes" may be illustrated by an incident of the time. In May, 1680, Captain Sawkins, a daring English marauder, had anchored his ships before the Spanish town of Panamá. "The Governor sent a message by some merchants to us, to know what we came for into those parts. To this message Captain Saw-

Connecticut, on the other hand, rejoicing in the possession of that valued security, was for the present quiet and content, as well as thrifty. Various important particulars of the condition of that Colony four years after Philip's war are recorded in a report made by the Governor and Secretary to the Lords of the Committee for Trade and Plantations.[1] According to this account, the whole force of militia amounted to 2,507 foot-soldiers, besides "one troop consisting of about sixty horse." There was a "small fort at the mouth of Connecticut River." "As for our Indian neighbors," say the writers, "we compute them to be about five hundred fighting-men. We are strangers to the French, and know nothing of their strength or commerce. Our chief trade for procuring clothing is by sending what provisions we raise to Boston, where we buy goods. The trade with our Indians is worth nothing, because their frequent wars hinder their getting peltry. We have neighborly correspondence with New Plymouth; with Massachusetts;[2] since Major An-

Condition of Connecticut. 1680. July 15.

kins made answer, that we came to assist the King of Darien, who was the true lord of Panamá, and all the country thereabouts; and that, since we were come so far, it was no reason but that we should have some satisfaction. So that if he pleased to send us five hundred pieces of eight for each man, and one thousand for each commander, and not any further to annoy the Indians, but suffer them to use their own power and liberty, as became the true and natural lords of the country, that then we would desist from further hostilities, and go away peaceably; otherwise that we could, causing them what damage was possible." (History of the Buccaneers, &c., I. 170, 171.)

When New England was called upon to pass these laws, the freebooter Dampier was just about to sail from Virginia on one of his grand expeditions. It was a brilliant thought — worthy of the Merry Monarch — to give out to the world that it was his strait-laced subjects in New England that needed to be restrained from playing these pranks on the Spanish Main.

For further illustrations of this matter see Burney, Voyages, IV. 78, 132, 320.

[1] Colonial Papers, &c.; Chalmers, Annals, 307–310. This paper is but an abstract. The document is printed in full in Conn. Rec., III. 294–300.

[2] In the original draft, the word *indifferent* preceded the words "with Massachusetts"; but in the revisal they were erased.

dros came to New York, with him, but not like what we had with his predecessor. With Rhode Island we have not such good correspondence as we desire..... Our buildings are generally of wood; some are of stone and brick; and some of them are of good strength and comely, for a wilderness. ..... The commodities of the country are provisions, lumber, and horses. ..... Some small quantity is sent to the Caribbee Islands, and there bartered for products and some money. And now and then (rarely) vessels are laden and sent to Madeira and Fayal, and the cargoes bartered for wine. We have no need of Virginia trade, as most people plant so much tobacco as they need. We have good materials for ship-building. The value of our annual imports probably amounts to £ 9,000. We raise no saltpetre. Our wheat hath been much blasted, and our pease spoiled with worms, for sundry years past. We have about twenty petty merchants; some trade to Boston, some to the Indies and other Colonies; but few foreign merchants trade here. ..... There are but few servants, and fewer slaves; not above thirty in the Colony. There are so few English, Scotch, or Irish come in, that we can give no account of them. There come sometimes three or four blacks from Barbadoes, which are sold for £ 22 each. We do not know the exact number of persons born; nor of marriages, nor of burials. But the increase is as follows: — the numbers of men [that is, of military age, between sixteen and sixty] in the year 1671, were 2,050; in 1676, were 2,303; in 1677, were 2,362; in 1678, were 2,490; in 1679, were 2,507. We cannot guess the estates of the merchants; but the property of the whole corporation doth not amount to £ 110,788 sterling. ..... Twenty-four small vessels belong to the Colony. ..... There are no duties on goods exported, except on wines and liquors, which, though inconsiderable, are appropriated to maintain free schools. The people are strict

Congregationalists; a few, more large Congregationalists; and some, moderate Presbyterians. But the Congregationalists are the greatest number. There are about four or five Seven-day men, and about as many Quakers. . . . . We have twenty-six towns, and there are twenty-one churches in them; and in every one there is a settled minister, except in two newly planted. The stipend, which is more or less according to duty, is from £50 to £100. Every town maintains its own poor. But there is seldom any want, because labor is dear, being from two shillings to two shillings and sixpence a day for a laborer; and because provisions are cheap. Wheat is four shillings a bushel Winchester, pease three shillings, Indian corn two shillings and sixpence, pork threepence a pound, beef twopence halfpenny a pound, butter sixpence, and so other matters in proportion. Beggars and vagabonds are not suffered, but, when discovered, they are bound out to service; vagabonds who pass up and down are punished by law."[1]

Dispute between Connecticut and Rhode Island about their boundary line.

The history of Connecticut and Rhode Island for the years immediately succeeding the Indian war is nothing but a continuation of the dull record of the chronic strife between those Colonies for proprietorship and jurisdiction in the Narragansett country.[2] While that territory was a battle-field, the controversy between its English claimants was of course suspended. When the quarrel was revived, it was under somewhat altered conditions. To the more ancient claims of Connecticut was now added that of conquest; for, while her troops had composed a large part

[1] In a letter to Blathwayt, which accompanied this report, the Governor said: "We have lost and spent much of our estates in the last Indian war. Our expense, with our loss, cannot be estimated less than £ 30,000; and no other advantage gained by it than the riddance of some of our bad neighbors." (Conn. Rec., III. 301.)

[2] No letters appear to be extant of those which may have passed between Rhode Island and Connecticut from May, 1672, to October, 1676. (Conn. Rec., II. 539; R. I. Rec., II. 556.)

of the force which had fatally struck at the Narragansett tribe in its stronghold, and finally swept over its domain, Rhode Island had held herself neutral in the war, to the extreme disgust of the other Colonies.[1] Almost before the Indians were reduced, the dispute broke out again in its old forms. Rhode Island made proclamation that no person must "exercise jurisdiction in any part of the Narragansett country, under any pretence whatever, except under her authority."[2] Some backwoodsmen complained to Rhode Island of being annoyed by Connecticut, and the former Colony resolved that she would "stand by them and relieve them," and "vindicate her jurisdiction unto the Narragansett country."[3] The intruders relied on this assurance, and some Connecticut officers brought them to Hartford, and put them in gaol.[4] More of that spirited correspondence followed, of which the reader has already had specimens enough.[5] But in action Rhode Island, though she put her militia in order,[6] was less adventurous than she had been in former times. Considerations of the recent practice of Connecticut in arms may have influenced her impulsive neighbor.

1676. October 27.

1677. May 1.

The Atherton Company again brought forward its pretensions. In its behalf Captain Wait Winthrop applied to the General Court of Connecticut for authority to "settle plantations in the Narragansett country, with suitable inhabitants and free planters, under this government."[7] The Court favored their enterprise; and, at the same time, taking notice that within that territory

1678. May 17.

1 "The authority of Rhode Island, being all the time of the war in the hands of Quakers, they scarcely showed an English spirit, either in assisting us their distressed neighbors, or relieving their own plantations on the main." "They took in many of our enemies that were flying before us, thereby making profit of our expense of blood and treasure." (Colonial Papers, &c.)

2 R. I. Rec., II. 559; comp. 574.

3 Ibid., 567.

4 Ibid., 579.

5 Ibid., 582, 583, 594, 597, 598.

6 Ibid., 567, 576, 585, 587.

7 Conn. Rec., III. 15, 257.

there were "persons, some intruding, and others revolted from their subjection made and engaged to this government," they instructed the Magistrates "to take order that such persons be brought to condign punishment with as much speed and convenience as might be";[1] and directed that "none of the conquered lands should be taken up, or laid in farms to any person whatsoever, without special and express order from the Court for the same."[2] Hereupon Simon Bradstreet, John Saffin, and Elisha Hutchinson, a Committee of the Atherton Company, advertised at Boston, that they wanted settlers on their lands, and were prepared "to treat and agree on very easy and reasonable terms"; to which notice the Assembly of Rhode Island replied by warning all persons against these "fallacious claims of title and government," and declaring that all who should presume to act upon them would by Rhode Island be "deemed as intruders, molesters, and disquieters of the peace."[3]

July 30.

It was observed that settlers from Rhode Island were renewing the attempt to establish themselves on the Narragansett lands; and Secretary Allyn wrote to the Magistrates of that Colony, to caution them against permitting the intrusion. The Magistrates replied, that, while Connecticut was "of strength sufficient to compel submission," they should take her persistence in the claim now set up as "an intrusion upon their rights, and accordingly should endeavor their relief by Address unto his Majesty."[4]

1679. April 7.

April 21.

Randall Holden and John Green were now in England, calling the attention of the Privy Council to their ancient quarrel with Massachusetts, and to that surrender of the Narragansett lands to the King which they had obtained from the natives

The controversy transferred to England.

[1] Conn. Rec., III. 32.
[2] Ibid., 34.
[3] R. I. Rec., III. 18, 19.
[4] Conn. Rec., III. 265–267.

forty years before.[1] John Crowne was also there, representing the loss which his father had sustained by the surrender of Nova Scotia to the French,[2] and seeking to be reimbursed by a grant of the territory lately conquered from the Pokanokets at Mount Hope. The King wrote to the Colonies, directing that "all things relating to the said Narragansett country, or the King's Province, should be left in the same condition as now they were, or had lately been in, as to the possession and government thereof," and that claimants of "the soil or the government of the said lands" should, "with all speed, and by the first convenience, send over persons sufficiently empowered and instructed to make their right and title appear." The Col- February 12.

1 Journals of the Privy Council for December 4, 1678; R. I. Rec., III. 37–46, 56–67; see above, Vol. II. p. 136. Holden and Green informed the Lords of the Committee, that, in 1644, they could do no otherwise than petition the rebellious Parliament (see above, Vol. II. pp. 133, 134), for they could not get at the King; but that they showed their loyalty the same year by persuading the Indians to make to the King a grant of all their lands, which instrument they immediately took to England, where, being again unable to reach the sovereign, they kept it carefully, and delivered it to Lord Clarendon's Commissioners in 1665. They represented that, in 1662, the Massachusetts people refused to allow the Governor of Nova Scotia to enlist men for the King's service, though, in 1654, they had permitted Sedgwick and Leverett to raise a force for the service of Cromwell. (Ibid., p. 285.) And they prayed "his Majesty speedily to erect a Supreme Court of Judicature over all the Colonies in New England," so that "His Majesty's loyal subjects, who had too long groaned under the oppressions of an insulting and tyrannical government, might be relieved." In reply to the charge that they had taken no part against Philip, they said that the Rhode-Island people had in their sloops transported English soldiers in the war; that they had brought off Englishmen who were in danger; that they had succored and sheltered the wounded, &c. (Colonial Papers, &c.) It was Holden and Green who, at this time, used the precise language erroneously attributed by the historian Grahame to John Clarke. (Grahame, History of the United States, I. 317; comp. Quincy, Memory of the Late James Grahame Vindicated, &c., 7, 14–20.)

2 Journal of the Privy Council, for February 7. See above, Vol. II. p. 286, note 4; p. 441. It was at this time that Crowne gave his account of the reception in Massachusetts of the Regicide Colonels. (Ibid., 498, note.) July 13, 1682, the General Court of Massachusetts finally disposed of Crowne by granting him a gratuity of £ 5, in consequence of a pathetic memorial of his. (Mass. Arch., CVI. 265.)

onies were at the same time to "certify what right or title any of them might pretend unto the said country of Mount Hope, and also the true extent, value, and propriety of the said lands, with the grounds and evidences of their respective claims, if any should be made."[1]

Meeting of the Federal Commissioners. August 25.

The King's letter seemed to present an occasion for a consultation of the Commissioners of the three Confederate Colonies. The Commissioners accordingly held a special meeting at Boston, and agreed upon a joint letter to Lord Sunderland. They informed him that, as to the origin of the late Indian war, they had "just ground not only to fear, but without breach of charity to conclude, that those malicious designers, the Jesuits, those grand enemies to his Majesty's crown as well as to the Protestant religion, had had their influence in the contrivement thereof." They represented that the lands of Mount Hope,

[1] Conn. Rec., III. 269–272. — Secretary Allyn, for the Governor and Council of Connecticut, wrote to the Magistrates of Massachusetts, July 5: "We lately received a letter, title 'Charles Rex,' subscribed 'Sunderland,' dated 'Whitehall, February 12, 1678–9,' whereby is manifest from the complaint of the good subjects, Capt. Holden and Green, that all pretenders to government or soil within the Narragansett country must make defence against Rhode Island, who claim both, and who were thought, by some Commissioners, to be best deserving persons for securing and governing what was called by them 'King's Province.' It therefore seems expedient and dutiful for yourselves and us to return somewhat suitably to defend the one and the other of our pretences there. Likewise it may not be amiss for Massachusetts and Plymouth to allege something on behalf of the land and money upon Mount Hope account, lest all that be lost unto one John Crowne, and so east be turned into west." The letter advises that the Commissioners of the Colonies should consult together, in order to "give an account of the late war to his Majesty, and therein to show what have been the Rhode Islanders' supererogations and deserts." (Ibid, 272, 273.)

Cranston, Governor of Rhode Island, addressed a memorial to the King, August 1. He said that Philip was killed by "one of a small company under the command of a Captain of Rhode Island [Captain Church], who led a small party of volunteers." He asked to have Mount Hope given to Rhode Island. The Rhode-Island people, he said, "ever had a loathing to any usurped powers, repugnant to your royal pleasure and authority." (Colonial Papers, &c.)

forfeited by Philip in "his breach of covenant," lay within the patent bounds of Plymouth; and that as to Crowne, who was seeking to be endowed with those lands, "neither his former losses, which were rather imaginary than real, nor his present demeanors, seemed such as should highly deserve of his Majesty, being rather a burden and disservice to such places where he had been, than otherwise." The Narragansett lands, they said, were "included in his Majesty's charter granted to Connecticut, and so regularly under the government thereof; ..... but, since the war, these parts were disturbed by sundry who did intrude themselves upon them, by countenance of the government of Rhode Island, as they alleged, and were an ungoverned people, utterly uncapable to advance his Majesty's interest, or the peace and happiness of their neighbors." The settlement made by the Royal Commissioners, fifteen years before, it was argued, was invalid, because of the absence of Colonel Nicolls, whose concurrence with his colleagues in any decision was made necessary by the terms of their appointment. Finally, it was urged that it would "be most difficult, if not impossible, for the several claimers of right in that country, now resident in the Colonies, to defend their interest in England, ... the whole estate of many of them being not able to transport them over seas."[1] On the other hand, Sanford, Governor of Rhode Island, transmitted to the King a statement of the successive settlements within that jurisdiction, vindicating the claim of his constituents on the ground of ancient possession.[2]

1 Conn. Rec., III. 506–509.

2 Providence, Sanford said, was planted, by Roger Williams and others, in 1635–1636; Pawtuxet and Rhode Island, in 1637–1638. At a later time, "One Mr. Wilcox and Mr. Roger Williams obtained leave of the Indians to set up a trading-house at Narragansett, distant from Rhode Island about eight miles. Some years after," Mr. Richard Smith, of Portsmouth, Rhode Island, became Williams's partner. Sanford recites the settlement of Warwick in 1642–1643; of Pettyquamscott, in 1657; of Kingston, in 1659; of Westerly, in 1661;

Connecticut now sent out Mr. William Harris, of Pawtuxet, to England, empowered to plead her cause with the King.[1] Rhode Island had recently given new provocation. "John Cranston, Governor of Rhode Island, &c., did, with certain other persons, hold a pretended court on the east side of Pawcatuck River, ... within the township of Stonington, and within the limits known, and long and quietly possessed bounds, of the Colony of Connecticut." The Governor of Connecticut sent from New London a protest against this usurpation. Governor Cranston returned from Westerly a defiant reply. Cranston gave notice that his Colony intended to mark its western boundary. Allyn, for the government of Connecticut, informed him that it would be prudent for him to let that boundary alone, and that, "in expectation of his compliance therein, they would give no further trouble."[2] Rhode Island desisted from the undertaking for the present "by reason of the wetness of the weather, and the height of the rivers and ponds."[3]

October 9.

September 16.

September 17.

October 29.

December 11.

Connecticut was growing constantly more resentful and determined. The General Court directed "the military officers in the several counties and plantations" to apprehend and bring to justice all persons who should make any attempt, in "forcible or hostile manner, upon this his Majesty's Colony, or any part thereof within the bounds granted by his Majesty's charter."[4] One Richardson, as constable of Stonington under the authority of Con-

Military preparations of Connecticut. 1680. May 20.

and of East Greenwich, in 1677. He makes his statements, he says, "from the information of some of the first and ancient English inhabitants, and from the records of each town." (Colonial Papers, &c.)

[1] Conn. Rec., III. 37, 38, 51, 278–280. It is singular that the Address of the Colony to the King, carried out by Harris, is, with the exception of a short passage relating to himself, a literal copy of a former Address of October, 1678. (See below, p. 440.) This creates a doubt whether the Address prepared in 1678 was sent.

[2] Ibid., 39–41, 276–278, 280, 281.

[3] R. I. Rec., III. 81.

[4] Conn. Rec., III. 62, 63.

necticut, served an attachment upon an inhabitant of that place, who had taken the oath of allegiance to Rhode Island. The Governor of Rhode Island issued a warrant for the arrest of Richardson, for "presuming to execute the place and office of a constable or deputy-constable within said Colony"; and he was brought to Newport, and put in gaol. The government of Connecticut demanded his release, and threatened retaliation. The Magistrates of Rhode Island replied that "they had only done their duty to his Majesty." Connecticut carried into execution its threat by seizing one Clarke, who had been employed in the capture of Richardson. Clarke was finally condemned at Hartford to pay a fine of ten pounds. Richardson was discharged unconditionally, after two or three months' imprisonment.[1]

May 15.

July 6.

July 9.

July 21.

On a third voyage to England, Harris, the agent of Connecticut, was taken at sea by a corsair, and carried to Algiers. On hearing of this disaster,[2] the Governor and Council of the Colony hastened to address directly to Lord Sunderland that statement of their "pleas of right to the government and soil of the Narragansett Lands," which Harris had been expected to present. They argued, — 1. That their charter, which was earlier than that of Rhode Island, endowed them with that territory; 2. That the charter did but confirm the same bounds as had been defined in the grant obtained more than thirty years before, by Lord Say and Sele, Lord Brooke, and their associates, patentees of Connecticut; 3. "That Pawcatuck River, which Rhode Island procured his Majesty to call Narragansett River in their charter,"

Representation of Connecticut to the English Secretary of State. July 15.

1 Conn. Rec., III. 286 – 290.

2 The news of it came in June. (Ibid., 304.) Harris had sailed for England in the previous December. After a captivity of something more than a year he was ransomed for about $ 1200, and had scarcely arrived in London when he died. (Ibid., 51, note; comp. 304 – 307.)

ran through the Pequot country, which had been conquered by Connecticut more than forty years before, and had recently been appropriated as the residence of "Indians who were helpful" to the Colonies in the late war, "when the Narragansetts were their enemies and the Rhode-Islanders no good friends"; 4. That, "after the charter was procured and sent over, the honored John Winthrop's agency was expired, and therefore any agreement Rhode Island might pretend they made with Governor Winthrop did not bind the Colony"; 5. That they had "antiquity of their side," having been in possession of the Narragansett country, not only before the charter of Rhode Island, but before the pretended cession by the Narragansetts to the King; 6. That the King's letter of the preceding year ought to restrain the intrusions of Rhode Island, at least until such time as an authoritative decision should be made in England; 7. That not only "in the late Indian war Rhode Island government neglected to grant assistance to defend the people planted in the Narragansett country," but that, when the Colonial forces, after the fight at the Narragansett fort "in the sharpest of the winter, ... retreated to Rhode Island for recruit with their wounded men, they were forced to pay dearly for what relief they had there; and the soldiers, when they were so well that they could be removed for cure, they having not money there to pay, the late Governor Cranston took indemnity of the soldiers to serve him for years for what they had, before he let them pass."[1]

[1] Conn. Rec., III. 302, 303. — It was, I presume, on account of its connection with the claim here mentioned of Connecticut to the Pequot country, as territory conquered by her, that Major Mason's "Brief History of the Pequot War" was first given to the press. That war took place in 1637. Mason died January 30, 1672. In 1677, when the boundary dispute between Connecticut and Rhode Island was revived after Philip's war, Mason's narrative was published by Increase Mather, who had received it from Secretary John Allyn, and who supposed Allyn to be its author. Dr. Prince, in 1736, procured a copy from Captain John Mason, grandson of the old soldier, who

The silence of the records both of Connecticut and of Rhode Island indicates that, probably in consequence of the firm attitude assumed by the former Colony, the boundary dispute was now suspended for somewhat more than two years. It was as long, before the home government found leisure to give serious attention to the business. At the end of that time, the King appointed "Commissioners for examining and inquiring into the respective claims and titles, as well of himself as of all persons and corporations whatsoever, to the immediate jurisdiction, government, or propriety of the soil of or within the Province commonly called the King's Province or Narragansett Country." The Commissioners were Edward Randolph, Edward Cranfield, Governor of New Hampshire, William Stoughton, Joseph Dudley, and five other Massachusetts men, prominent in the prerogative party. They were to make their report to the Privy Council for its final determination.[1] Agreeably to a printed notice, circulated through the Governors of the several Colonies, the Commissioners held a meeting for a hearing of the parties at Wickford, where Richard Smith had rebuilt his house, burned in the recent war.[2] The government of

1683. April 7.

August 22.

corrected Mather's error concerning the authorship of the tract. (Prince's Preface to Mason's History, in Mass. Hist. Coll., XVIII. 125.) My learned correspondent, Mr. J. Hammond Trumbull, expresses an opinion that the composition was superintended, or at least retouched, by the capable and vigilant Secretary of Connecticut.

[1] Journals of the Privy Council. The commission is in Mass. Hist. Coll., V. 232.

[2] Smith, who was a partner in the Atherton Company, (see above, Vol. II. p. 561, note 2,) was a friend to the claim of Connecticut. July 3, 1678, a petition from him was presented to the King in Council (Journals of the Privy Council), praying that the Narragansett country might be settled under that Colony, "according to his Majesty's precedent grant." (Colonial Papers, &c.; comp. Conn. Rec., III. 267 – 269.) Still Williams and he were always friends, and Williams did his best to protect Smith in his property. Under the date of "Providence, 21st July, 1679, *ut vulgo*," Williams, "being, by God's mercy, the first beginner of the mother town of Providence, and of the Colony of Rhode Island and Providence Plantations, being now near to fourscore years of age, yet, by God's mercy, of sound under

Rhode Island, on the ground of "not having seen any commission from his Majesty," not only declined to appear, but, by solemn proclamation, "did, in his Majesty's name, prohibit the said Edward Cranfield and associates from keeping court in any part of the jurisdiction."[1]

August 23. In behalf of Connecticut, John Allyn and John Wadsworth addressed the Commissioners with the usual argument for a right of jurisdiction belonging to their Colony, at the same time declining to contest the claim of the Atherton Company to "propriety of soil."

Award of Royal Commissioners. October 20. The decision of the Commissioners, reported to the Privy Council, fully sustained the pretensions of these two parties, and disdainfully set aside those of Rhode Island. They said that the King's charter to Connecticut distinctly gave to that Colony the lands in question; that the subsequent agreement between Winthrop and Clarke had no virtue to invalidate the royal grant; and that they found "no cause to judge that Pawcatuck River anciently was, or ought to be called or accounted, the Narragansett River." And they added: "We hold it our duty humbly to inform your Majesty, that, so long as the pretensions of the Rhode-Islanders to the government of said Province continue, it will much discourage the settlement and improve-

standing and memory, ... humbly testified, ... as leaving this country and this world," that Richard Smith ought to be "by his Majesty's authority confirmed and established in a peaceful possession of his father's and his own possessions in this Pagan wilderness and Nahigansic country." (Colonial Papers, &c.; see above, Vol. II. p. 218.)

In a memorial dated in the same month, Smith the younger, and others, said that, their homes being ravaged during Philip's war, they withdrew to Rhode Island; that, receiving there inhospitable treatment, they returned to the Narragansett country very destitute, and lived "in cellars and holes under ground"; that they hoped in time "with industry and hard labor" to re-establish their homes, "if not discouraged and hindered by many that threatened to turn them off." And they prayed that their titles to their property might be confirmed, and that they might not be left to the government and dispose of those that sought advantages against them." (Ibid. comp. R. I. Rec., III. 49 – 52.)

[1] R. I. Rec., III. 127 – 132.

ment thereof, it being very improbable that either the afore-mentioned claimants, or others of like reputation and condition, will either remove their families, or expend their estates, under so loose and weak a government."[1]

Randolph was not present at this meeting. During the early progress of his assaults upon Massachusetts, he had cultivated for a while the good-will of Connecticut. But, ready as he was for any job, he now presented himself to her in a hostile attitude, as prosecutor of a claim of the Duke and Duchess of Hamilton. When, at the time of the dissolution of the Council for New England, the members undertook to divide the corporate property among themselves, a portion of the territory of Connecticut was assigned to the Marquis of Hamilton.[2] The proceeding was invalid from the beginning; for the Council had long before granted away its property, nor were even the necessary legal formalities observed in the transaction. But when the Marquis, taking the royal side, had lost his life in the civil war, and when the restoration of the monarchy had revived the hopes of royalists, the Marquis's daughter Ann, whose husband, William Douglas, Earl of Selkirk, had been created Duke of Hamilton, sued to the King to be replaced in possession of her father's alleged American estate. Having obtained from the Duke and Duchess a power of attorney to make what he could of this pretension, Randolph prevailed on his colleagues in the Narragansett commission to reopen the question with reference to the rights of this third party, and give him a hearing. The Commissioners accordingly met again

1635.

Claim of the Duke of Hamilton to lands of Connecticut. 1683. June 30.

[1] Conn. Rec., III. 320, 321, 324, 325; Ibid., II. 541 545; R. I. Rec., III. 139–149; Mass. Hist. Coll., V. 235–243. — By some exaggeration, the basis for which I have not learned, Governor Cranfield wrote to England, October 19, that the Rhode Island people broke up a meeting of the Commissioners in the King's Province.

[2] See above, Vol. I. pp. 396–403.

November 19. for the purpose, but could not be prevailed on to do more than transmit the papers for his Majesty's consideration.[1] The question, having remained in an annoying position for several years, was at length referred by the Privy Council to the law officers of the Crown,[2] and definitively adjudged against the claimants.[3]

1696.

Loyal temper of Connecticut. 1678. October 10. While Connecticut had such great interests dependent on the pleasure of the court, her people were not backward in manifestations of loyalty. The authorities sent an Address to the King, to thank him for the happy issue of the late Indian war.

1 Conn. Rec., III. 335. — For pay, Randolph was ready to undertake any business of this sort. Major Savage, in the second year before his death, in 1682, set up, as one of the eighteen first settlers of Rhode Island (see above, Vol. I. p. 512), a claim to one eighteenth part of its soil. (Arnold, History of Rhode Island, 462.) November 17, 1683, his four sons, "all of Boston," joined in a power of attorney to Randolph, to prosecute this claim. (Mass. Arch., II. 58.)

2 Conn. Rec., III. 136, 333 – 336.

3 The boundary question between Connecticut and New York was settled by agreement, to the mutual satisfaction of the parties. November 28, 1683, Commissioners from the Colony met Colonel Dongan, the Duke's Governor of his Province of New York, and determined upon the line which has ever since divided the two territories.

In 1680, Sir Edmund Andros, as Governor of New York for the Duke, laid claim to Fisher's Island, near New London, as belonging to his jurisdiction. (Conn. Rec., III. 283.) Connecticut, which had granted the island to the second John Winthrop (see above, Vol. II. p. 234, note), protested (May 20, 1680) against the pretension of Andros, and forbade all persons except her own Magistrates to exercise jurisdiction in the island. (Conn. Rec., III. 64.) Andros left his government, and went to England, in the following January.—In May, 1682, the government of Connecticut, hearing that some New York people had encroached on her limits by "purchasing large tracts of land on the east side of Hudson's River from the Indians," sent a complaint to the officer provisionally in charge at New York. (Conn. Rec., III. 100, 313.)—Thomas Dongan, successor of Andros as Governor for the Duke, arrived at New York in August, 1683. The Magistrates of Connecticut sent him an address of welcome (October 5), at the same time inviting his attention to some encroachments of his people upon their bounds. He wrote them a very surly answer, to which they replied in excellent temper. Their courtesy sobered him; and his next letter assured them that, "if he must have any contention with them, he wished it might be who should do one another the better offices." After this, everything went smoothly to the conclusion of the treaty. (Conn. Rec., III. 131, 133 – 136, 141, 326 – 332, 337 – 339.)

"Under God," they said, "we must acknowledge ourselves debtors to your Majesty; the greatness of your name and power, with the gracious aspect towards us, being a terror to our heathen adversaries." But the expression of their gratitude to him for the advantage his gracious aspect had afforded them in their hunt of the Indians, did but introduce a more practical topic. They extolled his "great goodness in those charter bounds and privileges which had been no small engagement and encouragement by which to defend and recover the whole, when others that pretended a part deserted the same"; and added an "earnest beseeching the continuance of his princely grace, in the full enjoyment of all the limits mentioned in their said charter, and the privileges thereof."[1] When the regulations of commerce were pressed, "the Governor did, in the presence of the Court, take the oath respecting the Act of Navigation and Trade appointed by his Majesty";[2] and he assured the Commissioners of the Customs that his government had "appointed Customers or Collectors in the several counties to take special care that the Acts of Navigation and Trade were duly observed and kept, and had commissioned them accordingly," and that they would "be ready to grant Mr. Randolph such necessary aid and assistance as should be requisite, if he also should see cause to take any cognizance of these affairs in the Colony."[3] Andros wrote to Governor Leete that he was informed of Colonel Goffe's living concealed in Hartford

1680. May 14.

1681. January 24.

1680. May 18.

1 Conn. Rec., III. 260–262.

2 Ibid., 49.

3 Ibid., 307, 308 The Governor, however, forewarned the Lords of the Committee that they must not expect to get much from this collection of duties, inasmuch as the Connecticut people had "only a few small vessels to carry their corn, hogs, and horses unto their neighbors of York and Boston; . . . . . likewise some of those commodities were carried to Barbadoes and those islands, to bring in some sugar and rum to refresh the spirits of such as labored in the extreme heat and cold, so to serve his Majesty's enlargement of dominions."

under the name of Cooke; a warrant was forthwith issued to the constables "to make diligent search" for the culprit "in the houses, barns, out-houses, and all places" of that town; and Andros was apprised that the search had proved fruitless, as well as that "our people were amazed that any such thing could be suspected at Hartford."[1] At the session at which the eastern boundary line, and Randolph's claim for the Duchess of Hamilton, were under consideration, the Colony sent an "humble petition" to the King, expressing at once their abhorrence of the Rye-House Plot and their sense of the convenience of having their charter respected.[2] The King required them to prevent the enlistment of his subjects within their jurisdiction in the military service of foreign states;[3] and accordingly Connecticut, like Plymouth and Massachusetts, passed a law making it felony to engage in such service.[4]

June 10.

1683. November 14.

1684. March 8.

Governor Leete was at the head of the administration in Connecticut during nearly all the period treated in this chapter. He died when he had been Governor nearly seven successive years, and was succeeded by Robert Treat (the General for his Colony in Philip's war), with whom James Bishop, of New Haven, was associated as Deputy-Governor. The political refractoriness which Leete brought to America seems never to have wholly recovered from the shock it

Death of Governor Leete. 1683. April 16.

1 Conn. Rec., III. 283–285; see above, Vol. II. p. 507, note 5. The Connecticut Magistrates had the trouble of a fruitless search after another rebel. Sir Lionel Jenkins wrote to them (September 30, 1682) that one William Kelso, on a passage to New England, had "confessed that he had been Chirurgeon-General to the forces engaged in the late rebellion in Scotland, having also given out suspicious words as if he had been concerned in that horrid and barbarous murder of the late Archbishop of St. Andrew's. The Connecticut constables were set upon the quest, but had to make the return that they could not "find nor hear of him." (Conn. Rec., III. 322–324; see above, p. 343.)

2 Conn. Rec., III. 138.

3 Ibid., 336.

4 Ibid., 150; see above, pp. 388, 425.

received before the surrender of New Haven,[1] and he never gave Randolph occasion to make a quarrel with the consolidated Colony of which he became Chief Magistrate. Another character of his administration should not be overlooked. He imported into the legislation of Connecticut something of the New-Haven element of extreme Puritan rigor, — an innovation to which his chief associate in the Magistracy was also by no means adverse. From the beginning of Leete's administration "the great unreformedness" of the people excited more anxiety; "provoking evils" and "crying sins" seemed to multiply; "rebukes and threatenings" were more remarked; and Divine judgments appeared to be more deserved and more certainly impending.[2] But Leete was an intelligent and a virtuous ruler, and Connecticut prospered under his care.

The disappearance of another name, in perhaps the same month, from the roll of the living, was less observed at the time, though the name fills a larger place in history. Busy and conspicuous as has seemed the part that for a time he acted, the precise date of the death of Roger Williams is not recorded. For many years before it took place, he can scarcely be said to have been prominent in the view even of his own little public. In whatsoever proportions the failure may have been owing to his own eccentricities on the one hand, and to the obtuseness and waywardness of those whose conceits he had stimulated on the other, it is certain that he failed to command the controlling consideration which might have been expected to follow his possession of some uncommon abilities, and his repeated manifestations of a public spirit singularly disinterested and earnest. Free as he was from selfish ambition, it is not to be doubted that his life was a happy, though it cannot be called, in any common

1 See above, Vol. II. p. 547.

2 Conn. Rec., II. 280 – 283, 296, 297, 317; III. 46, 65, 105, 146.

use of the terms, a successful one. A Magistrate, at two or three distant intervals, of the Colony which he had founded,[1] his official life was mostly passed in a furious turmoil, such as would have made wretched any man of less cheerful temper. Leaving the public scene, not because his associates there were ungrateful, but because they were intractable, and betaking himself to the woods to turn Indian trader,[2] no constant good fortune appears to have attended him even in that sphere. It seems that his expectations from his new employment were disappointed, and that in his old age he was maintained by his son.[3]

1678. William Coddington had ended his course a few years earlier. The principal founder of one of the two communities which were united in the Colony of Rhode Island — the sovereign of it, as at one time he had been by royal grant — survived, by many years, not only his official and his personal importance, but probably his intellectual faculties, which were never of the highest order. Whether it was owing most to want of balance and want of force in his

1 See above, Vol. II. 220, 362–366, 571; III. 102. — Williams's resentment against his old friend Harris was such as only the most ardent natures are equal to. A most truculent letter of his to Governor Hinckley, about Harris and Hinckley's treatment of him, is in the collection of Hinckley papers. (Mass. Hist. Coll., XXXV. 29.)

2 See above, Vol. II. p. 218.

3 Knowles, Life of Roger Williams, 111, note.

Williams was buried at Providence, "with all the solemnity," says Callender (R. I. Hist. Coll., IV. 147), "the Colony was able to show." Four years ago (March 22, 1860) what was understood to be his grave was opened. No remains of the skeleton that had occupied it were found. But the roots of an apple-tree, planted above, had embraced the skull, trunk, and limbs, and preserved their shape. (Allen, Memorial of Roger Williams, 7.)

From a person who had been acquainted with Roger Williams's sons, Dr. Stiles (MS. "Itinerary" in the Library of Yale College, II. 63) learned that "all of them had oddities, but were men of estate; and so his grandsons." Dr. Stiles himself, in 1763, saw a grandson of Williams, named Providence, then seventy-three years old, not of sane mind, and "subsisted by the town." "He appears to me constitutionally mixed up of distraction and reason." (Ibid.)

mind and character, or to the perversity of those whom he had undertaken to improve, profit, and govern, his hold on their confidence had not proved lasting. Happily for his peace of mind, from Antinomian he had turned Quaker; and the visions and the controversies of his sect provided him with resources for enjoyment in his declining years.[1]

What remained of the Confederacy of the New-England Colonies was now about to expire. After that meeting of the Commissioners at which were considered the conflicting claims to the Narragansett country,[2] only two more meetings were held. At the former of these, which took place in Boston, no business was transacted, except the settlement of two or three small claims made by private parties on account of the late war.[3] The last meeting was at Hartford. Arrangements having been made to pay another little war-debt to Richard Smith, the final act of the Board of Commissioners of the Confederate Colonies was to proclaim a day of fasting and humiliation, that the people might bewail "those rebukes and threatenings from Heaven which they were at present under, His hand being stretched out still," and might pray "for a further lengthening out of their tranquillity under the shadow of their sovereign lord the King, and that God would preserve his life, and establish his crown in righteousness, for the defence of the Protestant religion in all his dominions."[4] But the life that was desired for protection against a Popish reign was to be prolonged, in such righteousness as appertained to it, but a very little further.

Last meetings of the Federal Commissioners 1681. September 26.

1684. September 5.

1 See above, pp. 105, 107. — The Quaker controversy was sharply revived just before Coddington's death. Groom's "Glass for the People of New England," &c. was published in 1676; and Fox's "Answer to Several New Laws and Orders made by the Rulers of Boston in New England," in 1678.

2 See above, p. 432.

3 Conn. Rec., III. 510.

4 Ibid., 511.

CHAPTER XI.

Accession of King James the Second.

THE death of King Charles the Second made way for his brother, the Roman-Catholic Duke of York, to the throne of England. The party which endeavored to obstruct his elevation had been broken down; and he might flatter himself that, with the exercise of a moderate degree of prudence, he would be able to consolidate the despotism to which the nation seemed to be resigned. Greater difficulties than he had surmounted were not likely to confront him in future. If he had not great abilities, he had a resolute will. So far from being in danger of losing anything by carelessness, he loved labor for its own sake, and never wearied of the details of business. In particular, his sedulous and serviceable attention to naval affairs had not failed to procure for him a degree of esteem. His private life was impure, but he did not, like his brother, devote life to a shameless profligacy.

Announcement of his policy.

The new King's first act excited agreeable expectations in minds that did not sufficiently understand the constitutional perfidy of his race. In the Council which came together immediately after his brother's death, he declared that he was no friend to arbitrary power, and that it was his purpose to maintain the liberties of Englishmen, the government as it had hitherto existed, and the Established Church. With his consent, his words were taken down,[1] and their publication lightened the oppressive weight of anxiety that lay upon the public mind.

[1] Clarke, Life of James the Second, II. 3.

The constitution of his first ministry did not absolutely belie his fair professions. Lawrence Hyde, Earl of Rochester, his brother-in-law, was made Lord Treasurer, and the Earl of Sunderland continued to be Secretary of State. Godolphin, superseded in the Treasury, was made Chamberlain to the Queen, and was admitted to a large share of the royal confidence. Halifax, whose more recent patriotic course had forfeited the favor formerly won with James by his opposition to the Exclusion Bill, was, however, retained for the present in the royal service, in the dignified though unimportant post of President of the Council.[1] The honest Duke of Ormond was recalled from the government of Ireland to figure as Lord Steward in the pageants of the court. The Earl of Guilford was confirmed in the office of Lord Keeper;[2] while a check against any legal punctiliousness of his was provided in the person of George Jeffreys, now re-commissioned as Chief Justice of the King's Bench. However objectionable some of these statesmen were in other respects, they all hitherto professed the Protestant religion.

His first ministry.

On the other hand, the King did not hesitate to offend the public sense by at once going publicly to mass; and little privacy was affected as to a mission which he sent to Rome, to assure the pontiff of his devotion to the Church. His civil administration began with a usurpation of the kind that had been fraught with fatal consequences to his father. He proposed to continue to levy for himself the duties assessed on imports by a grant which, according to ancient usage, had been made to the late King for his lifetime only.[3] Guilford's advice was, that that course might be justified

Early development of his designs.

1 Lord Halifax was discharged from office in the following October. The King took leave of him civilly, but gave no reason for his dismission. (Reresby, Memoirs, 312, 315.)

2 Lord Campbell, Lives of the Chancellors, III. 413.

3 See above, Vol. I. p. 251.

by the exigency of the case, since fair dealers who had paid duties on their goods ought not to be ruined by the underbidding of traders who received their commodities duty-free; but that the moneys thus received into the Treasury should be sequestered there, to await the disposal of Parliament, when it should meet. Jeffreys stood by the King; and a proclamation was issued, enjoining on importers the unconditional payment of the customary duties.[1]

These offensive proceedings, if they excited solicitude, occasioned no outbreak. The disgust that had followed the infatuation of the Popish Plot was not yet exhausted. The delusive hope excited by the King's first speech in council was still fresh and active. Patriots might well differ upon the question whether it was not safer to attempt to conciliate a headstrong man, for the present so secure in his position, than to provoke him to displeasure. The House of Commons was almost in the King's hands; for a large part of the members represented corporations whose charters had been so remodelled as to give to the friends of prerogative the municipal offices and the power of determining elections.[2] No organization for even the mildest resistance was yet possible.

Meeting of Parliament. 1685. May 22.

In his opening speech to his Parliament, the King made no secret of his contempt for any precautions the Houses might be disposed to take. He said that it was idle to suppose that the doling out of supplies to him would be a security for frequent Parliaments; that, on the contrary, "the best way to engage him to meet them often was always to use him well." The House of Commons thanked him for his speech, and, by a unanimous vote, continued to

[1] North, Life of Lord Keeper Guilford, II. 112, 113.

[2] "The King said, there were not above forty members but such as he himself wished for." (Burnet, History of his Own Time, I. 626.) "Most of them were furious and violent, and seemed resolved to recommend themselves to the King by putting everything in his power." (Ibid.)

him for his life all the allowances which had been made to his brother, and added some considerable grants.[1]

Nothing seemed to be wanting to the King's security, or even to the fulfilment of his most ambitious hopes, but a rash and defeated insurrection. This advantage, too, he was to have. The Duke of Monmouth had of late resided in the Netherlands, where, in consideration of his father's fondness for him, he had been treated with distinction by the Prince of Orange. The accession of James placed the exile in a different position. The Prince felt obliged to humor his father-in-law by an altered aspect towards Monmouth, who withdrew from his court to Brussels. There the Duke was ill-advised enough to embark in an enterprise which speedily brought about his own ruin, and which might well have proved the ruin of England, had the King but had the prudence to use the advantage which it gave him for the prosecution of his despotic schemes.[2]

Insurrection of the Duke of Monmouth.

Monmouth undertook to overset the throne of England at the moment when Lords and Commons in Parliament were bowing in the dust before it. Landing at Lyme-Regis, in Dorsetshire, with a following of about a hundred men, he issued a proclamation charging the King with all sorts of crimes, and invited all patriotic Englishmen to unite in expelling him from the throne. Within four days he was joined by some two thousand men; and the Duke of Albemarle, in command of a force of royal troops twice as large, retreated before him. Pressing on to Taunton, he there proclaimed himself King of England, as being the legitimate son of the late sovereign. He was now at the head of six thousand men. But, while his motions were dilatory, the King had time to collect an effective

June.

1 Parliamentary History, IV. 1353, 1354.

2 "It is not easy to imagine with what advantage he might then have opened and pursued his designs." (Burnet, History of his Own Time, I. 647.)

army. In a battle fought at Sedgemoor, near Bridgewater, the insurgents were routed. Their unfortunate leader, having escaped from the field, was found by his pursuers in a ditch, disguised in peasant's clothes. He was taken up to London, where he wrote to the King with abject expressions of remorse for his crime. As if taking a malignant pleasure in distressing him to the utmost, James consented to his suit for a personal interview, and then, with revilings, refused his entreaty for pardon.[1] He was beheaded on Tower Hill, the second day after being brought to London.[2]

His defeat and capture. July 6.

His execution. July 15.

The prosecution of another branch of the same wild undertaking was attended with like ill-success. The Scottish Parliament had, if possible, shown itself more basely servile to King James than the Parliament of England. They had voted that, by the immemorial law of the realm, their monarchs possessed absolute authority; and they had made lavish grants to the crown, which, instead of being limited to the present reign, were declared to be perpetual. They had by law made it treason to maintain that the Covenant was obligatory on the signers, or to refuse to give evidence in trials for treason or for non-conformity, and had declared attendance at a conventicle to be a crime punishable with death.[3] The Earl of Argyll, who, four years before, had escaped into Holland while under sentence for treason, vainly supposed that such excesses would rouse the ancient spirit of his countrymen. Preceding the expedition of the Duke of Monmouth by about a week, he landed in the west of Scotland, in his own country,

Insurrection in Scotland.

1 "King James, in ordering him to be brought into his presence under the sentence of death, was pleased to make one exception against a general rule observed inviolably among kings, never to allow a criminal, under the sentence of death, the sight of his prince's face, without a design to pardon him." (Wellwood, Memoirs of Transactions in England, &c., 170.)

2 State Trials, XI. 1023–1104.

3 See above, pp. 32, 269.

where he was presently joined by a force of his clansmen and others, numbering about twenty-five hundred men. This was the limit of his progress. Scarcely eluding the superior numbers that hemmed him in on all sides, he escaped into the Lowlands, where no reinforcements awaited him. His despairing followers fell away. His reduced force was easily defeated. He was taken prisoner, led to Edinburgh, and there executed. June 26.

Now was the time for the King, by a judicious clemency, or at least by a dexterous reserve, to establish his power. But happily he had not the sagacity or good temper requisite for such a course. A cruel vindictiveness was both his instinct and his policy. The inhuman proceedings of his officers, the Earl of Feversham and Colonel Kirke, after the battle of Sedgemoor, seem, through their connection with the customary horrors of war, less horrible than the wholesale murders of the judges Jeffreys and Scroggs. Judicial cruelties.

Months elapsed after the dispersion of Monmouth's feeble levy before the Chief Justice came to the Western counties to hold his court, — a space of time which might have dulled the appetite for blood in men with human hearts. At Dorchester, where he held his first court, he ordered the first thirty who were convicted to immediate execution; and, of two hundred and ninety-eight who were sentenced, eighty paid the penalty of death. In this "campaign" of Jeffreys, as the King named it, no fewer than two hundred and fifty miserable people perished on the gibbet. Some cases were thought to be marked with circumstances of peculiar aggravation. Lady Lisle, widow of a Commonwealth's-man of eminence, was herself of loyal principles, and had sent her sons to Sedgemoor to fight for the King. After the battle, two fugitives, unknown to her as having been concerned in the rebellion, sought concealment in her house. That she accorded it, was the extent of her crime. The jury shrank from a

verdict against her; but at length they yielded to the violence of the court, and she was sentenced and executed, after great influence exerted to obtain her pardon. Jeffreys had ordered that she should be burned at the stake on the same day that the sentence was pronounced. The clergy of Winchester interfered with an application for delay, and the King was prevailed upon to change the manner of her death to beheading.

The arrogant demeanor of the King towards his submissive Parliament at this important juncture confirmed the impression made by his inhumanity to his revolted subjects. The necessity of further supplies to discharge the cost of the late campaign occasioned him again to convene the Houses, which had been suddenly adjourned in the alarm occasioned by the landing of the Duke of Monmouth.[1] He told them that, the late troubles having shown the militia system to be an insecure reliance, he desired they would grant him the means to keep up a standing force of well-disciplined soldiers; and that it was his intention to pursue the course on which he had entered, of giving commissions to Catholics, since he was neither disposed to do injustice to gallant gentlemen of his own persuasion, nor to deprive himself of their services in a future time of need.

Second meeting of Parliament. November 9.

The House of Commons voted to grant a supply of seven hundred thousand pounds, accompanying the vote with a temperate expression of their disapproval of the employment of Catholics, to which the King replied only by a harsh rebuke. The House of Lords, with unwonted spirit, named a day for taking the King's speech into consideration. But, notwithstanding that the forms necessary for making the grant of money effectual had not been gone through, he gave way to his ill-temper and prorogued the Parliament before the ar-

November 16.

November 18.

Prorogation of Parliament. November 20.

[1] Parliamentary History, IV. 1362 – 1366.

rival of the appointed day;[1] and it was never suffered to meet again.

A proceeding of King James's friend, the King of France, contributed to the apprehensions which thus again possessed the public mind of England. By a decree, familiarly known as the *Edict of Nantes*, Henry the Fourth of France had guarantied religious freedom and political security to Protestant Frenchmen. The decree had been in force nearly a century, when it was suddenly revoked by Louis the Fourteenth, a few weeks before that meeting of Parliament which has just been mentioned. Five hundred thousand Frenchmen, as was estimated, immediately fled to foreign countries from the persecution that impended. Not less than fifty thousand betook themselves to England. Compassion for the sufferers stimulated the apprehensions which were naturally excited by their fate. Englishmen saw again, in what they esteemed its natural aspect, the ferocious spirit of the Church of Rome; and they asked themselves once more what security Englishmen had against the perfidy and cruelty of a Popish monarch, greater than had been possessed by those religious Frenchmen, who had now been dispossessed of their property and exiled from their homes.

1598.

Revocation of the French Edict of Nantes. 1685. October 18.

Released from the interference of Parliament, the King's next step was to obtain the sanction of a legal judgment for that power of dispensing with the operation of the laws, which, in respect to the Test Act, he had already exercised, and had declared his purpose still to use. In that unsettled state in which as yet the English constitution stood, the question was not without its difficulty. The power of exempting from the penalty of a law in single cases is generally recognized

Claim of King James to a dispensing power.

1 Parliamentary History, IV. 1367–1387; Reresby, Travels and Memoirs, 313–318; Dalrymple, Memorials and Letters, I. 161–167.

as belonging to the executive head of a government. It is exercised in every act of pardon. It is necessarily an irresponsible and illimitable power, for the fit occasions for its exercise cannot be foreseen so as to be defined; if they could be, the law might provide for them. But if one or a few may fitly by executive discretion be relieved from the operation of a law, why not many? And if many, how many? It is impossible to define the proportion. Then why not all? It is true that, if all persons threatened by a penal law ought to be discharged from its operation by executive interference, this must be because the law is a bad one, and ought to be repealed. But the law-making power may not be of that opinion, and its dissent, though availing to keep the enactment on the statute-book, does not avail to divest the executive of its inherent attribute of mercy. Such is the special pleading on one side of the question. On the other side stands the portentous fact, that, if the dispensing power may be exercised without control, the head of the government is absolute. The law-making power cannot effectually obstruct or restrain either monarch or subject, if any and all of its enactments may be legally annulled by executive discretion. Here was presented one of those cases in which precedents and maxims derived from one state of political relations are simply absurd when applied to another. To dispense with the operation of a law in an unlimited number of cases was an unquestioned part of the royal prerogative. To dispense with the operation of a law, unless for exceptional reasons, is, in effect, to repeal it. To repeal a law is to pass a law, which English jurisprudence did not allow, nor did the King pretend, that he could do.

A collusive case was arranged, in order to obtain a formal opinion of the judges upon the King's dispensing power. The Test Act offered a reward to informers, payable by the offender. The coachman of Colonel Hales

claimed it from his master as the penalty due from him for violating the Act by receiving, while a Romanist, a commission in the army. The officer pleaded the King's dispensation. The judges, who were bound to be governed by ancient law and precedents, and not by considerations of public equity or policy, were not without plausible reasons for the decree which they announced. They found that a dispensing power, unlimited in its terms, — however, at different times, exercised with more or less caution, — had always been claimed by the kings of England; that there were not wanting instances of its being expressly acknowledged by Parliament; that Parliament had never expressly called it in question; and that, when a few times disputed at law, it had been uniformly sustained by the courts. Judgment was now given accordingly for the defendant, eleven judges out of the twelve consenting; and the unlimited power of the monarch to dispense with the operation of laws was settled for the present, as the law of England.[1] The King immediately called four Popish lords, and a Jesuit priest, Father Petre, to the Privy Council.

Its allowance by the judges.

1686. June 21.

July 17.

The Ecclesiastical Court of High Commission had been one of the great abuses abolished by the Long Parliament. James the Second had the boldness to revive it. He issued a decree investing three bishops and four lay lords, of which number Jeffreys, now Lord Chancellor,[2] was one, with a power of judicature over the Church of England; and it was expressed in their commission, that they might execute their trust without regard to any existing statute of the

Revival of the High Commission Court. July 14.

1 State Trials, XI. 1165 – 1199; Burnet, History of his Own Time, I. 669 – 671; Dalrymple, Memoirs, &c., I. 171 – 173.

2 Jeffreys was made Lord Chancellor, September 28, 1685, three weeks after Lord Guilford's death. (Lord Campbell, Lives of the Chancellors, III. 380, 424.)

May 2. realm. A case already existed for the exercise of their authority. A clergyman of London, named Sharp, animadverted in the pulpit on the character of some recent conversions to the Church of Rome. James ordered the Bishop of London to suspend him from preaching. The Bishop replied that he had no canonical power to take that step till there should have been a trial and conviction. The King persisted; and the Bishop was cited before the new court, who sentenced him to a suspension from his functions, to last during the pleasure of the King. It in fact lasted to the end of the King's reign. The Bishop, who had begun life as an officer in the army, retained the spirit of his early days. He had recently given offence to the King by a patriotic course in Parliament, and had been removed from the employments of Privy Counsellor and of Dean of the Royal Chapel.[1]

Dismissal of Protestant Tories from office. Other vigorous developments of the King's policy soon followed. The Earl of Sunderland, who had made a friend of Petre, and who already gave signs of a disposition to be reconciled to the ancient Church, was made President of the Council while retaining his office of Secretary of State. Rochester, who, with all his faults, was animated with his father's devotion to the Church of England, and who was a man of far too great ability and resolution to be a cipher in any government, was, with many professions of sorrow on the part of the King, dismissed from the high post of Lord Treasurer; and, in circumstances which will presently be related, his elder brother, Lord Clarendon, was at the same time discharged from the great office of Lord Lieutenant of Ireland. The Treasury was intrusted to a commission, with Godolphin at the head, an expert and diligent statesman, "never in the way and never out of the way," by whom the King knew that he would not

[1] Trial of Bishop Compton, in State Trials, XI. 1123–1166.

be embarrassed. The Chancellor, Jeffreys, stuck fiercely to his Protestantism; but this was probably only as a cloak assumed that he might be able more effectually to promote the King's designs, by not appearing to abet him through any influence of religious sympathy.

The course of King James was clear before him. With the solemn approval of the law, uttered with its most august authority, he had vindicated his prerogative to do away with the laws of England. By dispensations from the Test Act, he had called Papists to his council, and had taken the army, the corporations, and the judiciary into his hands. By the establishment of the High Commission Court, he had brought the Church under his feet. No Parliament was sitting, and there was no necessity for him to convoke one; for the base complaisance of the last Parliament secured to him a generous revenue, and, in case of exigency, the exchequer of the rich King of France was at his disposal, on terms which it would not be difficult to arrange.

But, after all, one part of what appeared so safe a calculation failed. The people, high and low, were servile; for they were incensed at the misbehavior of the Whigs, and the Whigs were the representatives of liberal principles. The Church was servile, as it always had been since Henry the Eighth and Cranmer fastened it to the car of the State. But the Church was composed of men, of whom a large portion valued their faith, and all valued more or less their livelihood, which depended upon the Church's safety and ascendency.

To this solid obstacle in the way of his designs, the King was fortunately blind. This was not for want of warning. In quarters to which it would seem natural for him to look for advice, his true policy in the circumstances was well understood. Had he been capable of being instructed by the lessons of prudence, it is by no means unlikely that he might

Popish fanaticism of the King.

in the end have accomplished his aims, and subverted the liberties of England. If he could not prevail upon Parliament to repeal the Test Act, the courts had decreed that he might legally dispense with its operation; and for all practical purposes this sufficed; it enabled him to fill the Council, the army, the courts, and the municipal offices with his creatures. If he could not get the *Habeas Corpus* Act effaced from the statute-book, it would be but a bloodless phantom when Roman Catholics should fill the tribunals which were to execute or disregard the writ. The Catholic courts of Spain and the Empire, as strongly as the Protestant power in the Low Countries, urged the King to moderation. The Catholic potentates had political reasons for their course. Independently of their clear perception that precipitancy would defeat the King's designs within his own realm, they desired to attach England to the Continental league against the King of France; and to that end it was necessary that there should be a good understanding between the King and the Parliament. The Pope concurred in their policy, and sent over a nuncio to endeavor to enforce it on the King. The Queen was earnestly of the same mind. Of the members of the Roman Catholic communion within the realm, the most important by reason of wealth, station, and character used their influence in the same direction.

But the headstrong nature of James brooked no delay, and approved no indirections. Nor was the King of France inattentive to the conditions of the time. His able and watchful envoys in England were instructed on the one hand to stimulate the King, and on the other to use all opportunities to arouse the people's jealousy against him. The order of Jesuits was now disaffected to the Papal see, and obsequious to France. Louis employed the Jesuit Petre in England; an enthusiast for his religion; a person of ability and courage, and trained in

the arts which have given to his order such a mysterious mastery over the minds of men. The King of England, besides making Petre a Privy Counsellor, admitted him to his most intimate confidence; gave him apartments in his palace; solicited the Pope to make him a Cardinal; and, as was believed, was ready to appoint him Archbishop of Canterbury, could he have prevailed on the Pope to dispense with the rule which excludes members of the regular orders from the episcopate. The impetuous bigotry of Father Petre, so welcome to the King, was seconded by a few of the Catholic nobles, of whom the most prominent was the brutal and profligate Richard Talbot, Earl of Tyrconnel.

His encroachments on the Church of England.

The King's dismissal of his brothers-in-law from his counsels proved to be, what at the time it was interpreted as being, a sure prognostic of a resolute policy of despotism. His personal attachment to them had appeared to be strong. In the time of his low fortunes during his brother's reign, he had been indebted to them for the most important services. They were among the most eminent of the representatives of Protestant Toryism, and to dismiss them from his favor was to grieve the most powerful class of hitherto unscrupulous supporters of the throne. They had no objection to any arbitrary measures of his, except such as touched the ecclesiastical constitution of the realm. The only cause of their disgrace was, that they would not renounce the Church which had been re-established by their father. If they could not be tolerated, what adherent of that Church could expect to escape the royal frown? How hostile to English liberties, civil and ecclesiastical, must be the counsels which even these pliable statesmen could not be permitted to share!

The King could not be blind to the discontent which was spreading among Churchmen. He imagined that some support might be obtained from the Protestant

dissenting sects; and there was an appearance of consistency and of generosity in extending to the sectaries the toleration which as yet was all that he professed to claim for the members of his own communion. The laws of England were in his way in the one case as much as in the other. But he had made up his mind that the laws should not obstruct him. He issued a proclamation suspending the exaction of all penalties for religious offences, and forbidding the imposition of religious oaths or tests as qualifications for office. Numbers of the Non-conformist sects — Presbyterians, Baptists, Independents, Quakers — fell into the snare, and approached the King with addresses of thanks for his enlightened and gracious lenity. But in all these bodies (except perhaps that of the Quakers, who were ruled by William Penn) there were persons, and those generally of the best judgment and greatest weight in their circle, who distrusted the toleration which they were invited to share with Papists, and chose rather, in the imminent peril, to stand by the national Church which disowned, despised, and distressed them.

1687. April 4.

When a bold policy had been determined upon, a precipitate and insolent boldness might well seem expedient, as tending both to depress the courage of opponents, and to anticipate the conferences and organizations which might create embarrassment. The war with the Church was begun with a little skirmish, suitable to try the spirit of the enemy. The King sent an order to the University of Cambridge to admit one Francis, a Benedictine monk, to the degree of Master of Arts. The University answered by a petition, representing that this measure would open a way for all sorts of religionists into councils which had in charge the interests of the University and the Church. The King persisted; and the Vice-Chancellor, for his continued contumacy, was tried before

His attack on the University of Cambridge.

the High Commission Court, degraded from his office, and suspended from the mastership of his College.[1] May 7.

In the University of Oxford the question of the royal power was brought to trial on a point of more dignity, and with results far more important. On the death of the President of Magdalen College, the King nominated as his successor one Anthony Farmer, a person of unworthy character, and, though a clergyman of the National Church, understood to be favorably disposed to the communion of Rome. The Fellows answered by a petition, that the King would either recommend some other person, or allow them to make their own election. They then proceeded to choose for their President one of their number, Dr. Hough. The case was brought before the High Commission Court, which decided that the proceedings of the College had been irregular, but advised the King, for the sake of avoiding scandal, to name some other candidate for the vacant office, instead of Farmer. His quarrel with Magdalen College, Oxford. April 15.

Hough continued to exercise the functions of President. The King, assuming that his election was invalid, recommended to the Fellows another candidate, Parker, Bishop of Oxford. They replied that the office was filled. The Bishop of Chester, and two other members of the High Commission Court, were constituted visitors of the College, with authority to determine the dispute. The visitors came to Oxford, where they deposed Hough, and instituted Parker. The Fellows were required to sign an engagement of submission. Twenty-five of them, refusing, were by the visitors expelled from their fellowships, and, with their President, pronounced incapable for the future of holding office in the Church.[2] Nothing could have been more August 14.

1 State Trials, XI. 1315–1340. 2 Ibid., XII. 1–112.

unwise than this conduct of the King. From that day forward there were few parish churches in England where the reading of the prayers for him did not call up emotions of indignation or of sorrow.

Yet it required still greater indignities than these to raise the Church from its abject posture of non-resistance. Cheated by the illusion of his recent success, the King rushed on to his ruin. He published a second Declaration of Indulgence. It was almost the same — differing only in some more emphatic phraseology — as had been promulgated a year before; and it might have attracted not much attention but for an Order in Council which presently followed, requiring that it should be read in every parish church and chapel in England during divine service on two successive Sundays. In London it was to be read on the last two Sundays of the month in which the order was issued. In other parts of the kingdom the reading was to take place on the first two Sundays of the next month.

His Second Declaration of Indulgence. 1688. April 25.

May 4.

Outraged as the clergy were by the affront of being required to be thus the instruments of their own degradation, it was not easy for them to resolve to withstand a power, which was not only formidable in the highest degree, but which with an almost unanimous voice they had all along been proclaiming to be entitled to the submission of Christian men, even when it should be most oppressively exerted. But the natural sentiment of right, strengthened by the immediate risk of great personal loss, proved too much for this preposterous theory to withstand; and, for the first time since the Reformation, the Episcopal Church of England found itself withdrawn from the position of absolute devotion to the King.

Estrangement of the clergy from the King.

Unless there should be some concerted action, nothing material could be accomplished against the royal man-

date; yet there was little time for concert among a body so widely dispersed, and with only the imperfect means of communication existing in that age. Great credit is due to the Non-conformists for their conduct at this momentous juncture. For a time there had been danger, that, seduced by the offer of relief from hardships so long endured, and resentful against the Church which had wronged them so cruelly, they would lend themselves to the King's illegal designs. But the better part of their leaders, Baxter, Howe, and others, saw through the deception, and ultimately brought a great majority of their fellow-sectaries to a concurrence in their judgment of the duty which the times required. Eminent Non-conformists placed themselves in communication with the clergy of London, and urged them to be true in this crisis to the great common cause of Protestant Christianity.

Magnanimous course of the Non-conformists.

Eight days before the day appointed for the first reading of the Declaration in the pulpits of London, Sancroft, Archbishop of Canterbury, received some bishops, and other distinguished clergymen, at dinner in his palace at Lambeth. The result of their conference was a determination not to obey the royal mandate.[1] They made arrangements for a more numerous meeting of eminent clergymen to be held six days later. At this meeting, a petition to the King, written by the primate, was subscribed by him and six other bishops. It set forth that the signers were devotedly loyal subjects, and well disposed to reasonable measures of toleration, but that they were convinced that the Declaration was illegal, and that consequently their consciences would not permit them to publish it, as they were required to do.

May 12.

Memorial of seven bishops. May 18.

The prelates carried the petition to the King the same

1 According to Burnet (History of his Own Time, I. 738), Sancroft "found that eighteen of the bishops, and the main body of the clergy, concurred in the resolution against reading the Declaration."

evening. Having read it, he dismissed them with expressions of strong displeasure. It was hardly in his hands before it was circulated in print in the streets and taverns of the capital. No one knows, to this day, how the copy was procured. The Archbishop averred that none was obtained from him, and the original is known to have passed from his hands, through those of the Bishop of St. Asaph's, to the King.

Defeat of the Declaration. May 20.

The day came, appointed for the first reading of the Declaration in the hundred churches of the city and suburbs of London. It was read in only four churches, and in some the preachers denounced it.[1] Deliberation did not lead to an abandonment of the ground which had been taken. On the second day appointed for the reading, the ministers repeated their offence.

May 27.

The King called for the advice of his Council as to the course now to be pursued for the vindication of his dignity and authority. At the instigation of Jeffreys, it was resolved to prosecute the Archbishop and six Bishops, signers of the petition, for a libel. They were summoned before the Council, and required to enter into recognizances for their appearance before the Court of King's Bench. This they declined to do, pleading their privilege as peers. A warrant was then drawn for their committal to the Tower, and they were sent thither under guard in one of the royal barges. Crowds of people stood on the banks of the river the whole way, cheering them and asking their blessing. The soldiers at the Tower saluted them as they passed in

Imprisonment of the Bishops. June 8.

1 "Only seven" clergymen, says Burnet (History of his Own Time, I. 740), "obeyed in the city of London, and not above two hundred all England over. And of these some read it the first Sunday, but changed their minds before the second. Others declared in their sermons, that, though they obeyed the order, they did not approve of the Declaration. And one, more pleasantly than gravely, told his people that, though he was obliged to read it, they were not obliged to hear it; and he stopped till they all went out, and then he read it to the walls."

at the Traitors' Gate, and, when relieved, dispersed to drink their health in the barracks while they were in custody. The highest noblemen came day after day to pay their respects; but even their visits perhaps gave the King less anxiety than the visit of a deputation from the Non-conformist clergy. The chaplain of the garrison received an express order from the palace to read the Declaration during divine service in the presence of the illustrious prisoners. But he disobeyed, and was of course discharged from his place. June 10.

As the bishops passed to their arraignment in Westminster Hall, they were again greeted with every demonstration of popular veneration and sympathy. The argument of their counsel to the effect that, having been illegally committed, they were not obliged to plead, was overruled; they pleaded not guilty; an early day for their trial was fixed; and for the mean time they were discharged on their personal recognizances. Had they been required to give other security, twenty-one of the highest lay lords were ready to offer bail, — three for each of the prelates arraigned. June 15. Trial and acquittal of the Bishops.

The courtiers did their best to pack a jury. No one of the four judges could have produced an entirely fair record of his earlier public life, or was free from the suspicion of dishonest subserviency to the King. The Chief Justice had won his place by official baseness, and one of the three puisne judges was a Roman Catholic, with no other conspicuous claim to the position which he illegally held. The Attorney-General and the Solicitor-General, the former a person of small capacity, the latter distinguished for professional abilities and learning, were abjectly devoted to the designs of the King.

The indictment charged the prelates with a false, malicious, and seditious libel, written and published in the County of Middlesex. When the evidence came to be

produced, the Clerk of the Privy Council swore that the Bishops, in his presence, had avowed the genuineness of their signatures. But the Archbishop, who was one of the signers, and in whose handwriting the petition appeared, had been at his palace on the Surrey side of the Thames till after it was presented to the King at Westminster. The presentation of it, if it could be proved, was a publication in Middlesex. But here the crown lawyers were at fault. The King could not be made a witness, and the attempt to prove that the Bishops had confessed a presentation broke down. The Chief Justice had risen to charge the jury to bring in a verdict of acquittal on this technical point, when one of the prisoners' counsel interposed. The conversation which ensued gave opportunity to the prosecutors to send for the Earl of Sunderland.

The Earl came into court, and testified that the Bishops, on their way to the palace, had informed him that they had a petition to present. This changed the aspect of the case, and it was argued, in the last stage, on its substantial merits. John Somers, the youngest of the barristers of counsel for the prisoners, in that hour first fixed upon himself the admiring gaze of England, never to be unobservant of him again while he lived. In a few pregnant sentences he argued that the paper in court could not be characterized as false, for the facts which it alleged were notorious to all men; nor as malicious, for the defendants had not sought occasion of dispute; nor as seditious, for the only use they had made of it was to place it in the King's own hands; nor as a libel, for it was only such a memorial as was everywhere recognized as belonging to the right of seeking redress by respectful representation to the sovereign power. The Chief Justice charged that it was a libel. His Catholic assessor concurred in that judgment. The other two justices dissented, and one of them, Powell, went so far as to declare

that the Declaration of Indulgence had no legal authority. The jury retired after nightfall, and the next morning brought in their verdict of Not Guilty.[1]

London rang with acclamations, which were presently echoed from every quarter of the kingdom. Even the camp, where the King had just been reviewing a force which he had drawn to the neighborhood of the city, caught the enthusiasm, and did not wait till he was out of hearing to utter its vociferous applause. After a week or two, James rallied his spirits, and issued an order for reports of the names of all clergymen who had refused to read the Declaration to be made to the High Commission Court, which would be trammelled by no rules and defeated by no jury. But the order was not obeyed within the time prescribed. A second order, with an extension of the time, produced no more effect, and events soon followed which hindered any further prosecution of the scheme.

The King had been emboldened in pursuing it thus far by an event of the utmost importance to him and to the nation. Two days after the committal of the Bishops to the Tower, the Queen bore him a son. Late in the preceding year, it had been announced by proclamation that she was pregnant, and a day of thanksgiving was appointed for the auspicious prospect. Many listened with incredulity. The Queen was in feeble health, and four or five years had passed since the birth of her last child. If she remained childless, a Protestant princess, the wife of William, Prince of Orange, would continue to be the presumptive heir to the throne. If the Queen should bear a son, he would be the heir apparent; he would be educated by Jesuits, and a succession of Popish monarchs would be likely to

Birth of a Prince of Wales.

1687. December 23.

[1] It is impossible, while writing of this scene, to put out of one's mind the brilliant narrative of Lord Macaulay. But I have not failed to compare it with the State Trials (XII. 183–524).

follow. The Romanist counsellors of the King were believed to be capable of any villany, even to the extent of foisting a supposititious child on the nation for its future King. They behaved with an imprudence which confirmed the dreadful suspicion. They expressed their confidence that the prayers of the faithful had been heard, and that the expected child would be a boy. They spoke of the conception as miraculous, like that of the wife of Abraham, and of the wife of Elkanah, in Old-Testament times. The King and the Queen's mother had made pilgrimages to holy places, to implore the long-desired blessing. These movements strengthened the apprehension of intended imposture, and it was in very ill humor that the people awaited the event.

1688. June 10. It took place a month earlier than had been calculated, and this circumstance added to the prevailing distrust. The Prince of Orange had made no arrangements to obtain evidence respecting the genuineness of a birth which would exclude his wife from the throne. It was believed that the time was chosen on account of a temporary absence of the Princess Anne, herself a mother, and second in the existing line of succession. It was remarked that neither the Dutch Ambassador, nor either of the uncles of the Princesses, was summoned to the Queen's bedchamber. The Archbishop of Canterbury, who of right should have been there, had just been committed to the Tower. The company which the custom of England assembles on an occasion so vital to the security of the realm, was now composed partly of foreigners, and in large part of Roman Catholics. Great were the rejoicings of the King's friends when a son was born. But a conviction spread widely through the realm, that a nefarious fraud had been practised; that a newborn child of other parentage had been introduced into the royal bed, to ascend hereafter the throne of England. The King was not ignorant of the distrust which pre-

vailed; but, as usual, his contemptuous pride wrought him injury. At a later period, and in a more perilous stress of his fortunes, he collected and made public the evidence which clears his memory of the imputation of this enormous crime.[1] But he did this too late to escape the consequence of his fatuous disregard of the popular suspicions.

October 22.

The King's despotism in England, where, at every stage, it encountered a growing, though, in the earlier periods, an embarrassed and diffident opposition, is still further illustrated, in its temper and purposes, by his proceedings in Scotland and Ireland, where it met with obstructions far less difficult to confront. In Scotland, the defeat of the rash enterprise of the Earl of Argyll was followed by a period of discouragement and depression, of which the King did not omit to avail himself. The Duke of Queensberry, a servile partisan of James, but attached to the Church of England, was degraded from the place of Lord Treasurer; and the Catholic Earl of Perth, as Lord Chancellor, and his brother, Lord Melfort, as Secretary of State, became first ministers of the kingdom. Under a royal instruction, they dispensed with the taking of the test oath as a qualification for office. They forbade the clergy to preach against Romanism. The Chancellor had mass celebrated in a chapel in his house. The Scottish Parliament met in the following spring, and the Catholic Earl of Murray, the King's Commissioner to preside over its deliberations, was instructed to propose the repeal of laws adverse to the Church of Rome. The draft of an Act which was accordingly introduced did not satisfy the King, and he sent down orders for a

The King's despotism in Scotland.

1685.

1686. April 29.

1 The evidence — not destitute, of course, of unpleasant particularity — leaves no doubt whatever that the charge of a supposititious birth was groundless. I read enough of it in the MS. Journals of the Privy Council to satisfy any but an immoderate curiosity. See State Trials, XII. 123 – 182.

prorogation of Parliament, and proceeded to carry out his design by force of the prerogative. He directed the judges to pay no regard to the laws against professors of his religion. He forbade municipal elections. He appointed great numbers of Papists to office. He wrote to the Council, that he intended to set up a chapel for the offices of his faith in the palace of his ancestors at Holyrood.[1]

June 15.

James Butler, Duke of Ormond, was Lord-Lieutenant of Ireland when the present King came to the throne. No nobleman in the three kingdoms stood higher for generous qualities of character, or for services to the reigning house. He was a thorough Tory, but an unswerving friend to the religion of the State. In the last days of King Charles there had been thoughts of displacing him, as not sufficiently subservient to the views of the court. One of the first acts of the new King was to recall him from the viceroyalty. For several months the civil administration of Ireland was in the hands of Lords Justices, while the commander-in-chief of the troops was Talbot, Earl of Tyrconnel, a native of Ireland, unscrupulously and violently devoted to the religion and to the despotic schemes of the King. An order to disarm the militia, which came in this interval, was rigorously carried into effect by Tyrconnel in respect to the Protestant population, who were thus left exposed to the outrages of their vindictive Catholic neighbors.

1685. The King's despotism in Ireland.

At length the Earl of Clarendon came over as Lord-Lieutenant. But it was soon apparent that his authority existed in little more than the name. He brought instructions to the effect that Catholics should be freely admitted to civil and military trusts, and he began his administration by introducing

December.

1686. January.

[1] Laing, History of Scotland, IV. 155–178; Burnet, History of his Own Time, I. 678–681.

several persons of that persuasion into his Privy Council, and appointing others to be sheriffs and magistrates. Tyrconnel, on his part, remodelled the army, cashiering numerous Protestant officers, commissioning Catholics in their place, and even expurgating the ranks, not only by refusing Protestant recruits and enlisting regiments of Catholics, but by discharging hundreds of Protestant soldiers on frivolous pretences.[1] The charters of all municipal corporations were vacated by *quo warranto*,[2] and in new charters Catholics were substituted for Protestants in the enjoyment of the franchise. Tyrconnel was even so rash as to give out that there was to be a new distribution of the property of the island, and that lands long ago confiscated, and enjoyed for generations by the families now in possession, would be restored to the heirs of the ancient owners. Clarendon, who, accommodating as he was, could not easily brook the frequent contempts of his authority, remonstrated to the King, but was coldly answered. Unwilling to lose his place, he sullenly made up his mind to submit to its vexations. But this was not enough. His place was coveted by the man who made it so uneasy. Tyrconnel filled the ear of the King with complaints of the lukewarmness of the viceroy. The King, who was impatient for the execution of his designs in their full extent, and who was already getting estranged from Clarendon's still more powerful brother, Lord Rochester, listened with ready assent. The two brothers fell from power on two successive days, and Tyrconnel was placed at the head of the administration of Ireland, with the title of Lord Deputy.

June.

1687. January 7, 8

February

The excitement which followed this measure was in-

1 Hume says (*sub anno* 1685), that the number of Protestant private soldiers discharged was no less than "four or five thousand."

2 So says Hume (*ubi supra*). "Most of the charters," writes Lingard (Hist., Vol. I. Chap. III. *sub fine*). I have not thought it worth while to inquire which is right.

tense. Protestant Englishmen no longer felt secure in Ireland of anything that they possessed. Many hundreds of families immediately left the island. Their apprehensions were well founded. They no longer had legal protection. The whole civil administration was placed in the hands of their angry enemies by a sweeping appointment of Catholics to all offices, from the office of Privy Counsellor to that of constable; and burnings, robberies, and worse outrages, committed by Irish ruffians, made part of the tidings of every day.

Distress of Englishmen in Ireland.

The lesson taught by these transactions was not lost upon the people of England. It helped to ripen the preparation for the momentous change that was impending. From an early period of the reign of King James, the Prince of Orange had been in communication with the malecontents. By birth the first prince of the blood royal, he was also husband of his cousin Mary, the heir presumptive to the British throne. The better feeling between Whigs and Tories, which began to disclose itself when the King took the adventurous step of dismissing Lord Rochester and Lord Clarendon from power, offered to William a wider sphere for activity in English politics. The Declaration of Indulgence extorted from him the avowal, made to an agent of the King who solicited his approval, that not the succession to the throne of England, nor empire over the world, should tempt him to consent to a repeal of the laws established for the maintenance of the Protestant religion. James expostulated directly with the Prince and Princess by letters, and received from them the reply, that, though they did not approve of distressing Catholics by any penal statutes, they considered the admission of professors of that faith to civil office as being alike contrary to fundamental laws, unjust and dangerous to their Protestant fellow-subjects, and adverse to the welfare and security of the kingdom.

Politics of the Prince of Orange.

When matters had reached this point, William needed a faithful and able representative in England. He found such a one in Duyckvelt, a citizen of Amsterdam, who accordingly was sent to London in the character of envoy from the States-General. James penetrated the designs of the dexterous ambassador, but was unable to defeat them. Duyckvelt informed himself diligently respecting the amount of the King's resources in men and money; the state of parties; the condition of public sentiment; and the views of leading men. He entered into relations of confidence with several of the most eminent Englishmen; and, on his return to Holland after a few months, was able not only to assure the Prince of the prevalence in England of attachment to his person and policy, but even to convey to him written offers of service from some of the highest nobles, and other persons of special consideration and influence. The death of the Duchess of Modena presented an occasion for another embassy. Zulestein, an illegitimate cousin of William, afterwards created by him Earl of Rochford, was sent over to express to the Queen the sorrow of the Prince and Princess for that bereavement. He made further arrangements for his master, and returned to him with new pledges of support from his English friends; and from this time, without intermission, secret missives were mutually conveyed across the Channel.

His diplomatic and military preparations. February 11.

June.

August 8.

The Prince cautiously collected troops, ships, and money. He prepared the minds of his compatriots by using various occasions, especially the revocation of the Edict of Nantes, to excite them against France, of which nation he represented his father-in-law as the ally and tool. He satisfied the Pope, the Emperor, the King of Spain, and the second-rate Catholic States of Germany, by strengthening their league against the ambition of Louis, a league in which it was so needful for the

common safety that England should become a zealous party.

It was necessary to watch for an opportunity; for the sentiment of loyalty innate in Englishmen was known to be so strong, that, after all, when the trial came, it might prove sufficient to overcome the angry discontent that had existed. The King's folly brought the opportunity at as early a time as there were means to profit by it. The Church, sooner than do violence to its prescriptive idolatry of the throne, or retract its abject doctrine, so often repeated, of the obligation of passive obedience in any and all circumstances, had borne with sullen rage the proclamation of the King's dispensing power, the Declaration of Indulgence, and the establishment of the Court of High Commission. But when the lodgings and the revenues of her servants were handed over to Roman Catholics, and her primate and his associates were sent to the Tower for refusing to read an edict which made their preferments insecure, the Church's cup of indignation was full, and overflowed. When the unfamiliar portent was seen of the Church's apostasy from despotism, it was plain that there was a new prospect for right and liberty. On the day of the acquittal of the Bishops, an invitation to the Prince of Orange to present himself with an army in England was sent to him from London, with the signatures in cipher of a few persons of the first fortune, birth, and station, who professed to speak in the name of others sufficiently numerous and powerful to warrant the success of the undertaking.

1688. June 30.

What next followed is too familiar to every reader of English books to admit of any but the most cursory recital in this place. With a fleet of sixty men-of-war and seven hundred transports, conveying an army of fifteen or sixteen thousand men, the Prince of Orange set sail from Helvoetsluys for

His landing in England. October 19.

the coast of Yorkshire. A storm the same day drove him back with damage. He sailed again in a fortnight; and, passing close to the English fleet, which was held fast in the Downs by the same easterly wind that wafted him, entered the harbor of Torbay, in Devonshire. He landed without opposition, and marched eastward towards London. At Exeter he was disappointed by seeing no signs of the reception which he had been authorized to expect. But, just before he reached Salisbury, he was joined by Lord Cornbury, son of the Earl of Clarendon, with a few troopers. The accession of men was too small to be of importance, but the adhesion of their leader was an indication full of encouragement. A few days only passed before the Duke of Grafton, an illegitimate son of the late King, and Lord Churchill, already a Lieutenant-General, afterwards Duke of Marlborough, deserted their posts about the King, and came to offer their services to the invader. The Princess Anne was soon known to have stolen away from Whitehall, and travelled northward to the seat of the disaffected Earl of Northampton, while her husband, Prince George of Denmark, betook himself to the Dutch camp. The King sent commissioners to negotiate; but William at first found excuses for delaying to receive them, and at last, having been joined meanwhile by Lord Clarendon, refused to treat except on terms such as would disarm the King for any further resistance.[1] Awakened to the full extent of the danger, James sent the Queen with her son secretly to France, and the same night left his palace in disguise, and, throwing the great seal of

November 5.

November 12.

November 23.

November 25.

December 8.

December 10.

[1] Parliamentary History, V. 18, 19. Burnet says (History, I. 795): "The Lords [the King's messengers] seemed to be very well satisfied with the answer." They must have come prepared to be easily satisfied. Without doubt they did so come, for Lord Halifax was one of the three, and Lord Godolphin another.

England into the Thames as he crossed that river, proceeded to the little town of Feversham, where he had made arrangements to embark for France. Messengers were sent to the Prince by the magistrates of the city, inviting him to hasten his march.

At Feversham, James was recognized and arrested. Several peers, who were in London, met, and despatched a party of life-guards to protect his return to that city. He came to his palace at Whitehall, which William, who had been steadily advancing and was now himself near to Westminster, surrounded with some battalions of Dutch troops.[1]

His arrival at London. December 16.

The second night after James's arrival he was aroused from sleep to receive Lord Halifax, who had joined the Prince, and who now came with a message from him to the effect that it was best for the King's own safety and for the public peace that he should withdraw from London. A place was named for his retirement; but James objected to it, and expressed his preference for Rochester, thirty miles eastward from the city, on the Thames. William had anticipated such a request, and no other could have been more acceptable to him. He penetrated the frightened monarch's design of escaping to France, and the execution of that scheme would give him great relief in respect to the disposal of his uncle's person. James was allowed to go to Rochester, where care had been taken to have him carelessly guarded. He had been there but four days before his arrangements were completed; and, exulting in the cunning by which he eluded his keepers, he left his country for the last time. He received from Louis a courteous welcome, and, by the favor of that generous ally, established his mock court at St. Germain's. At the close of the day when he left Westminster, the Prince of

December 18.

December 19.

Flight of King James from England. December 23.

December 28.

[1] James's last Privy Council was held on this day. (Journals, &c.)

Orange entered it, and took up his lodging in St. James's palace.

Some of his most perplexing difficulties were as yet only reached. But they were at length overcome. A meeting was called of the Peers then in the city, and another assembly was constituted of members of the House of Commons during the reign of Charles the Second, and of the city magistrates. By their advice, writs were issued in the Prince's name for a convention of the estates of the realm. Till that should assemble, he consented to exercise the executive authority.

1689. January 22.

The Convention assembled. The Lords assumed their hereditary place. The Lower House was composed of knights and burgesses, representing the established constituencies of the kingdom. Two thirds of the members were of the Whig party. Of the Tories, with whom were counted a full half of the House of Lords, one portion was disposed to negotiate with the King, with a view to his restoration under such conditions as might protect the nation in future from a repetition of his unlawful practices. This section of the Tories presently allied itself with another, which, with the Archbishop, Lord Clarendon, and Lord Rochester at its head, desired to continue to the King his title, but to keep him in exile, and transfer his powers to a Regent, who should exercise the powers of government, as if the sovereign were an infant or an idiot. A third division, led by Lord Danby and by Compton, Bishop of London, maintained that James, by his flight from the country, had abdicated the sovereignty, which now devolved on the heir, as it would have done at his death; and that accordingly Mary, Princess of Orange, was now Queen of England. The doctrine of the Whigs was, that the King, by his misconduct, amounting to a violation of the contract between himself and his subjects, had forfeited the crown for him-

Discussions about the succession.

self and his posterity, and that it was competent to the remaining estates of the realm to fill by election the vacant throne.

January 28. After an earnest debate, in which these various views were brought out, the Commons resolved that James had abdicated the government, and

January 29. that the throne was vacant. They followed up this action by a vote, that it was inconsistent with the safety of England to be governed by a Popish King. To this last Resolve the Peers, under the pressure which had been brought upon them, unanimously consented. But it was by a vote of only fifty-one against forty-nine, that they declared themselves opposed to the

January 31. plan of a regency. Two days afterwards, they refused, by a vote of fifty-five to forty-one, to adopt the Resolve of the Commons affirming the vacancy of the throne. The majority was made up of many Lords who held that James was still King, and of a few who held that Mary was already his successor. On a second trial of the question, each House adhered to the position which it had taken; and, as the next step, each House appointed its committee for a conference.

Again the scheme of a regency began to be talked of. William now thought it expedient to make himself un-

February 5. derstood. He informed some of the leaders of the different parties, in each other's presence, that he could not accede to that arrangement. He must be King, or he would go back to Holland, and withdraw from all agency in English affairs. In the circumstances, there was no withstanding the force of this decision. Only, on further consultation, it was determined that he ought to hold the regal title jointly with his wife, while the administration should be in his hands alone. At the conference between the committees of the Houses, this

February 6. arrangement was matured. The Lords then voted, by a majority of about fifteen, that the

throne was vacant, and proceeded to declare, without a division being called for, that William and Mary should be proclaimed King and Queen of England. In the instrument which completed this great transaction, the Houses incorporated a Declaration of Right, which purported to set forth the principles of the English Constitution. Rather it created that Constitution, under which, with some minor changes of it, such as the lapse of time requires, six generations of the people of England have enjoyed an amount of tranquillity, felicity, and greatness, such as has rarely fallen to the lot of any community of men.

Proclamation of William and Mary as King and Queen. February 12.

CHAPTER XII.

In the short time that elapsed between the abrogation of the Charter of Massachusetts Bay and the death of King Charles the Second, no arrangements were concluded for the government of that Colony; and the variety of important business which belonged to the beginning of a new reign, and the insurrection under the Duke of Monmouth which took place soon after, fully occupied the attention of the ministry of King James. Accordingly no orders came from England for a new regulation of affairs in Massachusetts, and the administration was continued in the ancient form.

On the day of King James's accession to the throne, he issued his proclamation, directing that all persons in authority in his kingdoms and colonies should continue to exercise their functions till further order should be taken. A printed copy of the proclamation was transmitted to Boston by Blathwayt, along with an order to proclaim the new King.[1] The General Court was convened by the Governor to receive and register the edict. The Court was prepared to reply, that the royal pleasure had been

1685. February 6.

May 6.

1 The printed copies sent over are in the Archives of Massachusetts (CVI. 339 – 341). — "The law of England, with peculiar good sense holding it as a maxim 'that no person shall be required to take notice where it is impossible to do so,' obliges no officers of distant provinces to know anything of the demise of the crown but what is communicated by official intelligence. And nothing is legal notice of such an important event but a proclamation of the accession which constitutes [communicates] the demise, signed by the Privy Council and transmitted by the Secretary of State." (Chalmers, Political Annals, Book II. Chap. I. For the use of a MS. copy of this portion of the work, which has never been printed, I am indebted to Mr. Sparks.)

anticipated. A fortnight before its meeting,[1] on the reception of a less formal instruction to the same effect, "the Governor and Council had ordered his Majesty with all due solemnity to be proclaimed in the high street in Boston; which was done. The Honorable Governor, Deputy-Governor, and Assistants on horseback, with thousands of people, a troop of horse, eight foot companies, drums beating, trumpets sounding, his Majesty was proclaimed by Edward Rawson, Secretary, on horseback, and John Greene, Marshal-General, taking it from him, to the great joy and loud acclamations of the people, and a seventy piece of ordnance next after the volleys of horse and foot."[2]

King James the Second proclaimed in Boston. April 20.

The annual elections in Massachusetts took place as usual;[3] but the government was now regarded as only provisional, and was conducted

Despondency in Massachusetts. May 27.

[1] "April 14. A ship arrives at Newcastle, and brings news of the death of Charles the Second, and proclamation of James the Second King. . . . . It much startled the Governor and all of us." (MS. Diary of Judge Sewall.)

[2] Mass. Rec., V. 473, 474. In a joint letter written on the following day, Stoughton, Bulkeley, and Shrimpton gave an account of the ceremony. They said that "a thousand foot soldiers and a hundred horse, with numbers of the principal gentlemen and merchants on horseback," made a procession through the town. (Colonial Papers, &c.)

[3] Mass. Rec., V. 475. Stoughton was chosen Assistant by only 757 votes, and Dudley by 694, while Gookin had 1312, Richards 1267, and Nowell 1257. Bulkeley lost his election. Judge Sewall wrote: "Friday, May 29, Mr. Nowell and I go to Mr. Stoughton and Dudley to acquaint them with the freemen's choice of them in the Court's name, and to desire them to come and take the oaths. I doubt Mr. Bulkeley's being left out will make them decline it." (MS. Diary.) And again: "June 2, 1685. In the afternoon Mr. Stoughton and Dudley come and confer with the Council, thanking them for their respect in acquainting them with their choice, and to say they were not of another mind, as to the substance, than formerly, relating to the great concerns of the country; lest any might be deceived in desiring them to take the oaths. Also, that if things went otherwise than well in that great trial [we] were like shortly to have, all the blame would be laid upon them. Said [they] supposed things would be so clear when the day came, as that there would be a greater unanimity what to do, than now was thought of. (Deputy-Governor is Cloud and Pillar.) Seemed through the importunity of friends, ministers, &c. to incline to take their oath. Take leave." Stoughton and Dudley concluded to serve.

without spirit. It was still expected that Colonel Kirke would soon come over as Governor.[1] A universal despondency prevailed. The General Court found it necessary to threaten some of the towns for their neglect in sending Deputies; and, "judging it a matter of greatest concernment in the present juncture of Providence towards this people, that they so managed themselves as that they might not be led into temptation, to the doing of anything dishonorable to their profession, disloyal to his Majesty, or the peace of those that had betrusted them," they summoned certain "reverend elders of the several towns . . . . . to meet and confer with the Court in council," at an adjourned session. The Court came together again for this purpose; and Mr. Higginson, minister of Salem, was desired "to seek the face of God for his special guidance and direction." But nothing came of the conference that followed, except another Address to the King, rehearsing the same arguments for justice and lenity which had again and again proved so unprofitable.[2]

July 10.

July 21.

July 24.

Meanwhile, the indefatigable Randolph was at work in England. Soon after the defeat of the Duke of Monmouth's invasion afforded the government some leisure, Randolph presented a petition to the King, praying him to erect a temporary government over Massachusetts and its dependencies, and

Operations of Randolph in England.

August 18.

[1] Such was still the plan at the English court. As late as May 13, the Privy Council instructed "the Committee of this Board for Trade and Foreign Plantations to consider of an article of instructions fit for his Majesty to give to Colonel Kirke, who is going his Majesty's Governor of New England." (Colonial Papers, &c.) This was only a month before the insurrection of the Duke of Monmouth found other employment for Kirke. "Had he come over," says Mather (Parentator, 97), "what barbarities must this people have expected, even like those worse than Gallic immanities, under which their brethren in Scotland at this time were languishing." (See above, pp. 267 – 269, 469.) Their relief from this apprehension helped to reconcile them to the rule of Dudley and his Council.

[2] Mass Rec., V. 492, 494 – 496.

to send him over with commissions for it, and with writs of *quo warranto* against Rhode Island and Connecticut.[1] He furnished a list of "well-disposed persons fit to be concerned in the temporary government of the Colony of the Massachusetts Bay." Dudley's name is at the head of the catalogue; then Stoughton's; then Bulkeley's. And he submitted the scheme of a joint House of Assembly, in which Massachusetts should be represented by twenty Deputies; Plymouth and New Hampshire each by nine; and Maine by eight.[2] But this project, imperfect protection as it would have afforded to the Colonists, was strangled in the birth. The King would have no House of Assembly.[3] Other arrangements went slowly on, as the

September 2.

September 9.

1 Colonial Papers, &c. Randolph says, in this petition, that he has already served writs against the Jerseys and Delaware.

2 Colonial Papers, &c. Of the Massachusetts towns, Boston was to choose three Deputies; Ipswich and Salem, each two; Newbury and Andover together, two; Charlestown, Malden, Salisbury, Braintree, Dorchester, Roxbury, Hingham, and Weymouth, one each; Windsor, Springfield, Hadley, and Northampton together, one; Rowley with Beverly and Cape Ann, one; and Lynn with Marblehead, one. In Plymouth Colony, two were assigned to Scituate; one each to Plymouth, Bristol, Sandwich, Taunton, Barnstable, and Swansey; and one to Marshfield and Duxbury. For Maine, the towns of York, Wells, and Kittery were each to have two Deputies; and Casco Bay and Kennebec, one each. For New Hampshire, the towns of Portsmouth and Hampton were each to have two Deputies; and Exeter, Oyster River, Dover, Great Island, and Greenland, one each.

Perhaps some hint of what was going on had reached Boston, when Judge Sewall made the following record: "Wednesday, November 18. Uncomfortable Court day, by reason of the extreme sharp words between the Deputy-Governor, and Mr. Stoughton, Dudley, and others." (MS. Diary.) In September, Dudley, as if impatient for his expected promotion, wrote to his friend Randolph: "I suppose it cannot be thought expedient or safe to let the government here be at such strange uncertainties as it must needs be, until his Majesty's pleasure be known." (Hutch. Hist., I. 316.)

3 "My Lord President is desired to receive his Majesty's pleasure concerning a clause touching Assemblies to be called for making of laws and raising of money according to the opinion of Mr. Attorney and Mr. Solicitor General, who have reported that, notwithstanding the forfeiture of their charter, the right did yet remain in the inhabitants to consent to such laws and taxes as should be made or imposed on them. . . . . *Mem.* My Lord President having accordingly represented their Lordship's desire, his Majesty was pleased that no mention of an Assem-

leisure of the government allowed. An Admiralty Court was constituted for "New England and all the parts thereof." Randolph received a commission to be Post-Master. And the Privy Council made provision for setting up in Boston the worship of the Church of England.[1]

November 19.

October 30.

One more annual election was held in Massachusetts according to the provisions of the charter. The freemen showed their dissatisfaction with Dudley by leaving him out of the magistracy, a proceeding which so disgusted his friend Stoughton that he refused to serve.[2] They were not, however, consigned to private life. Arrangements had now been completed for the humiliation of the obnoxious Colony. Two days after the annual General Court came together, a frigate brought Randolph to Boston,[3] with an exemplification of the judgment against the charter, and commissions for the functionaries of a new government. It was to consist of a President, Deputy-President, and sixteen Counsellors. Their authority extended over Massachusetts, New Hampshire,

Election in Massachusetts. 1686. May 12.

Provisional government constituted. May 14.

bly be made in the commission." (Colonial Papers, &c.)

1 "Ordered, that Mr. Charles Mearne, his Majesty's stationer, do forthwith provide and deliver to the Right Reverend Father in God, Henry, Lord Bishop of London, or to such person or persons as his Lordship shall appoint to receive the same, six large Bibles in folio, six Common-Prayer Books in folio, six books of the Canons of the Church of England, six of the Homilies of the Church, six copies of the Thirty-Nine Articles, and six Tables of Marriage, to be sent to New England, and there disposed of for the use of his Majesty's plantation as the said Bishop of London shall direct." (Journals of the Privy Council.)

2 The largest number of votes cast for any Assistant was 1203 for Samuel Nowell. Stoughton was barely chosen, having 656. Dudley had but 619. Governor Bradstreet had 1144 votes, and Lieutenant-Governor Danforth 1,052. (Mass. Arch., XLVIII. 193.)

3 The vessel was the *Rose*, commanded by Captain George. According to a statement in one of Randolph's letters (R. I. Rec., III. 203), she was "almost six months" at sea, which would carry back the time of her sailing to November or December, 1685. But in his memorandum in Mass. Arch., CXXVII. 220, he says that he "embarked with his family in a frigate for Rhode Island, January 20," (1686).

Maine, and the King's Province. Over this district they were to exercise undivided control, no arrangement being made for a House of Assembly. Their functions, however, were only executive and judicial. They had no legislative authority, nor could they collect any taxes, except such as had already been levied by law. Dudley was appointed President,[1] and Stoughton Deputy-President. Randolph and Mason were made members of the Council. So were Fitz-John Winthrop, and Wait Winthrop, of Connecticut, both of whom had lived in Boston much of the time since their father's death.[2] Randolph was also Secretary and Registrar.[3] Six of the Counsellors named in the commission had previously been Assistants.[4] Two of them, Bradstreet and Saltonstall, refused to assume the trust, as did also Dudley Bradstreet, the Governor's son, and lately a Deputy.

Dudley and Randolph, with those Counsellors who consented to become their associates, laid their commission before the General Court, declining, however, to recognize the Magistrates and Deputies in an May 17.

[1] It was only in a qualified sense that the President was Chief Magistrate. "The constitution of this government is by a President and Council, who united are all but Governor." (Randolph to Blathwayt, in Hutch. Coll., 548.) The commission constituted the President Vice-Admiral of the seas about New England.

[2] Conn. Rec., III. 250, 305, 306.

[3] Randolph was appointed Secretary and Registrar of Massachusetts, New Hampshire, Maine, and the King's Province, by royal commission of September 21, 1685. (It is in Mass. Arch., CXXVI. 96, and is printed in R. I. Rec., III. 200.) He had solicited this office from the Lords of the Committee as compensation for "having been employed about ten years in the affairs of New England," and been the means whereby "their liberties and privileges are become forfeited to his Majesty." (Colonial Papers, &c.) Of course, he took care that the office should pay him. In a paper of his, without date, entitled "Proposals about Fees," he says: "To give away any of my right, I cannot do it"; and he claims for himself and his Deputy an exclusive right to register wills, deeds, and all evidences of contracts, to issue licenses of marriage, and to certify such copies as shall be valid in law. (Colonial Papers, &c.)

[4] I have not been able to find the commission. It bore the date of October 8, 1685. A part of it is in Mass. Hist. Coll., V. 244, and in R. I. Rec., III. 195. An order of the Privy Council, of November 28, placed the *Rose* frigate under Dudley's orders.

May 20. official capacity. On the third day following, the Court abdicated the government provisionally and under protest, after passing a unanimous vote to reply to the new rulers in the following terms: —

"Gentlemen, — We have perused what you left with us as a true copy of his Majesty's commission, showed to us the 17th instant, empowering you for the governing of his Majesty's subjects inhabiting this Colony, and other places therein mentioned. You then applied to us, not as a Governor and Company, but (as you were pleased to term us) some of the principal gentlemen and chief inhabitants of the several towns of the Massachusetts, amongst other discourse saying, it concerned us to consider what therein might be thought hard and uneasy. Upon perusal whereof we find, as we conceive, — First, That there is no certain determinate rule for your administration of justice; and that which is, seems to be too arbitrary. Secondly, That the subjects are abridged of their liberty, as Englishmen, both in the matters of legislation and in laying of taxes; and indeed the whole unquestioned privilege of the subject transferred upon yourselves, there not being the least mention of an Assembly in the commission. And therefore we think it highly concerns you to consider whether such a commission be safe for you or us. But, if you are so satisfied therein as that you hold yourselves obliged thereby, and do take upon you the government of this people, although we cannot give our assent thereto, yet we hope we shall demean ourselves as true and loyal subjects to his Majesty, and humbly make our addresses unto God, and in due time to our gracious Prince, for our relief."[1]

[1] Mass. Rec., V. 515. — For this "libellous paper," as the Council called it, they "examined" Edward Rawson, who had signed it, as Secretary of the Colony. They had further plenty of trouble with Rawson before they could get him to surrender the "books, records, files, and other utensils" of the Colony to their Secretary, Randolph. (Council Records, 39, 77, 80, 95; Colo-

They raised a committee of three persons, with the universally venerated Samuel Nowell at its head, to receive from the Secretary, and keep in their own hands, "such papers on file with the Secretary as referred to their charter and negotiations from time to time for security thereof, with such as referred to their title of their land by purchase of Indians or otherwise." This done, "the whole Court met at the Governor's house," and passed a formal vote of adjournment to a day in autumn.[1] It was the last act of the old charter government; and with it the ancient records of Massachusetts, begun fifty-eight years before in a counting-house in London, are brought to a close.[2]

nial Papers, &c. The "Council Records," which I refer to here, and elsewhere in this chapter, are a transcript from the copy of the record of the proceedings of Dudley's Council sent out by them, from time to time, to the home government. The transcript was obtained in 1846 from the State-Paper Office in London, and is deposited in the office of the Secretary of Massachusetts.)

1 Randolph's explanation of this proceeding is as follows: "They broke up with hopes that, either by some unhappy accidents in the affairs of state at home, or some dissension raised by their artifices among the members in this new government, they might prevail so far as to dissolve this constitution, and reassume the government, which to accomplish they are very solicitous." (Letter to the Archbishop of Canterbury, in Hutch. Coll. 549.)

2 We get a glimpse of the social life of New England at this period from a passage in a book before referred to, (see above, p. 69,) the "Life and Errors of John Dunton." He arrived in Boston in March, 1686, and remained two or three months, making some excursions to the neighboring towns. His business as a bookseller brought him into relations with the ministers, and he had letters of introduction from his Non-conformist friends to Dudley, Stoughton, and other considerable men. In "the humor" of Cotton Mather, he found "abundance of freedom and familiarity." (Life and Errors, &c., 125.) Mr. Willard had "a natural fluency of speech, and could say what he pleased." (Ibid.) John Usher proved too hard a dealer for him to trade with. (Ibid., 127.) Of the Justice, Dr. Bullivant, he speaks more favorably (Ibid., 134) than Bullivant's fellow-townsmen would have done. He was drilled in the ranks of a train-band, the captain of which preceded and followed the military exercise with prayer. (Ibid., 156.) The apostle Eliot gave him twelve copies of his Indian Bible. (Ibid., 158.) He heard General Gookin preach to the Indians of Natick. (Ibid., 162.) On his way to Salem, he dined at a tavern kept by "a hearty old gentleman, formerly one of Oliver's soldiers." (Ibid., 175.) "The conversation" of Mr. Higginson, minister of Salem, now eighty

The President might now please himself with the thought that he had secured the first step to what would prove a lofty eminence, if he should but continue to play his part with the audacity and adroitness in which no American of the time was his equal. The angular points of the heroic character are not seldom found to have disappeared in the second generation of an historical family. He whose early years have been passed in the chill of a home overshadowed by the penalties of opposition to the ruling influences of the time is tempted, even if entertaining honest aims, to court that smile of the world, which from want of experience and of confidence in himself

Position and character of President Dudley.

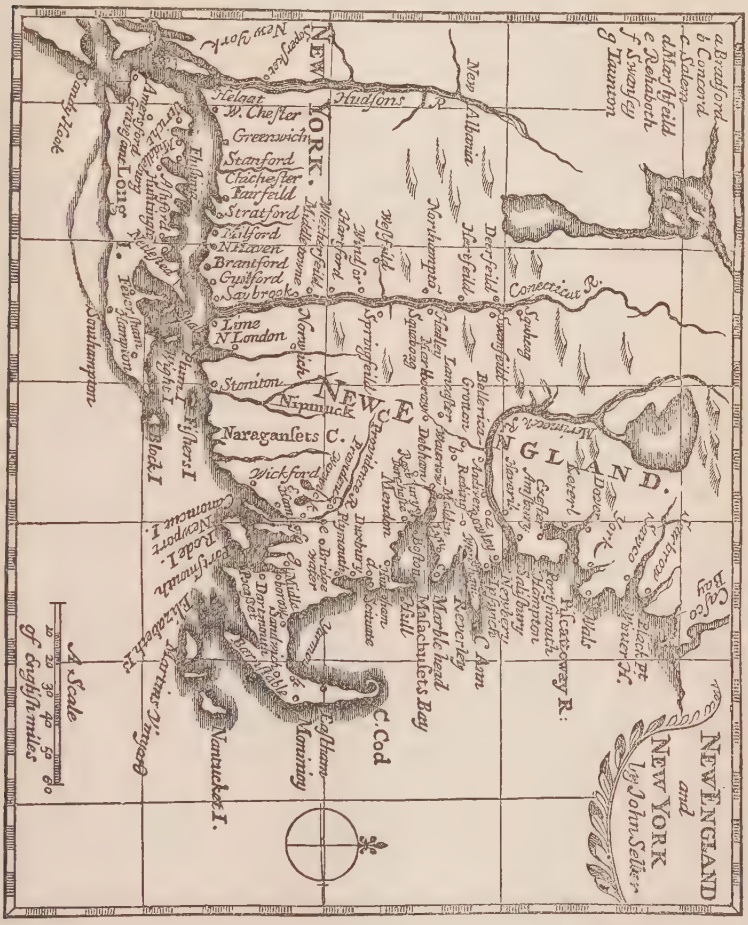
years old, appeared to him "a glimpse of heaven." (Ibid., 177.) A sight of Hubbard of Ipswich gave him occasion to extol "the delicate turn and grace seen in his printed sermons and history of the Indian wars." (Ibid., 190.)

"The books I had with me," Dunton says, "were most of them practical, and well suited to the genius of New England." (Ibid., 152.) The reader wishes that he had put the invoice of them on record. A catalogue of books in demand in New England at that day would have been a basis for very interesting considerations. The Pilgrim's Progress, anti-Baptist as the people of New England were, was not improbably in that day, as it has been in recent times, the next book in extent of circulation after the Bible. Bunyan had been gratified with the reception of his prose-poem in New England. In the rhymed introduction to his Second Part (published in 1684), he writes:—

"'T is in New England under such advance,
Receives there so much loving countenance,
As to be trimmed, new clothed, and decked with gems,
That it might show its features and its limbs.
Yet more; so comely doth my Pilgrim walk,
That of him thousands daily sing and talk."

One of the books which probably Dunton brought over was the "New England Almanac," published in London, in 1685, by John Seller, chartographer to the King. It contained an engraved map of New England, which is not without curiosity. On the next page is a *fac-simile* exemplification of it, on a slightly reduced scale. Richard Blome, in his "Present State of his Majesty's Isles and Territories in America," (London, 1687,) published the same map with a few unimportant deviations. Blome attributes his map to Robert Morden. Probably Blome's and Seller's delineations had the same source. The map which accompanies Ogilby's "America," published in 1670, was a copy of that issued a few years before by John Janssen, of Amsterdam, who mostly followed the rude sketch of Captain John Smith, (see above, Vol. I. p. 94,) with some variations taken from that of Champlain. Recently Blome's map has been beautifully reproduced in the edition, by the Bradford Club, of "Papers concerning the Attack on Hatfield and Deerfield," &c. (New York, 1859.)

he rates at too high a value, and to look for some course of action that may reconcile self-respect with ease and good repute. Neither the second Winslow, nor even (with all his merit) the second Winthrop, had chosen for himself all the ruggedness of his father's path. Joseph Dudley, from the earliest period of memory, had been told of his father,[1] not as of a disap-



1 He had enjoyed but for a little time a good influence from his father to form his character. Governor Thomas Dudley was seventy years old when his son was born, and he lived only five years more.

pointed man, — for the governing aims of Thomas Dudley were not worldly, — but as of one who had lived and died in a position less prominent and less luxurious than his early advantages might have seemed to promise; and such a career the enterprising son had no mind to repeat for himself. In early life, with distinguished ability, a diligence that never wearied, and the resources of a culture the most thorough that his country could afford, he pursued that reputable course which leaves the wise observer at a loss to decide whether it is dictated by uprightness and public spirit, or by a mere prudential watchfulness of the first avenues to advancement. Consecrated to the clerical profession when he first came into the public view, he was screened, in a community like that in which he lived, from all jealous analysis of his springs of action; and, devoting himself to public business in early manhood, he had strengthened by able services in various subordinate trusts that public confidence, which, when the time should be ripe, might make a stepping-stone for his vaulting ambition.

But, flattering as were now his prospects, it was impossible that he should be unapprehensive of the embarrassments that surrounded him. Disarmed for the present as the patriot leaders were, he knew them well enough to expect that they would profit by all favorable circumstances to revive a resolute and skilful opposition to his courtly policy. He was not too ill-tempered to be willing to use conciliatory measures, when measures of that character would best promote his aims. But the unavoidable difficulty was to conciliate the patriots without estranging Randolph; for Randolph, always intolerant and impracticable, had now become vindictive to an extreme degree. On his way to the eminence where he now found himself, Dudley had been effectively helped by Randolph's favor, and he was not yet powerful enough to venture to break

with his ally. The yoke in which Randolph held him was often experienced to be galling; for Dudley, selfish as was his nature, ready as he had been to be corrupted, was not entirely without a conscience, nor could he yet entirely release himself from the early influences of Thomas Dudley's house. Perhaps he still loved the College. Perhaps he had still some love for the Colony, which, grateful for his father's great services, and welcoming his own fair promise, had so affectionately showered its honors upon him. He could not but respect, if he no longer loved, the men upon whom it now devolved to do, in bitterness of heart and in defiance of him, the work in which they should have had him for a powerful coadjutor. But he loved his own elevation better than aught beside, and the ladder by which he was ascending was still steadied by Randolph's hand.[1]

1 "Digna damus, ... meritæ præconia vitæ.
Haud alium tantâ civem tulit indole Roma,
Aut cui plus leges deberent recta sequenti.
Perdita tunc urbi nocuerunt sæcula, postquam
Ambitus, et luxus, et opum metuenda facultas
Transverso mentem dubiam torrente tulerunt."
Lucan, *Pharsalia*, IV. 813–818.

Hutchinson, as if unconsciously depicting his own character, or seizing the opportunity to bespeak for himself the indulgence of posterity, says of Dudley: "It is no more than justice to his character to allow that he had as many virtues as are consistent with so great a thirst for honor and power." (Hist., II. 204.) How many virtues are consistent with that vicious thirst?

The time when the league was made between Dudley and Randolph cannot, I suppose, be exactly defined. As early as the summer of 1682, when Dudley went to England as one of the agents for Massachusetts, Randolph knew his value, and thought he knew his price. (See above, pp. 356, 358.) Still Randolph did not so far trust him as not to be pleased at hearing of his being exposed to the influence of resentment at home, as well as to that of favor at court. When Dudley was, by the finally awakened freemen, turned out of the magistracy in 1684, Randolph wrote from London: "No better news could have come to me than to hear Mr. Dudley, principally, was left out of the election; — the fitter man to serve his King and country in an honorable station, for they have declared him so." (Letter of Randolph to Colonel Shrimpton, July 18, 1684, in Hutch. Hist., I. 307, note.) Again he wrote: "I am extremely desirous that Mr. Dudley might have the sole government of New England; for no man better understands the constitution of your country, and hath more loyalty and respect to his Majesty's affairs; but I dare not openly appear in it, lest it be thought there is some private design in it; but I am, on all occasions, hinting his merit to his friends."

Proceedings of the new government. May 25.

Within a week after the final separation of the General Court, the President and his Council met, published by proclamation their com-

(Letter of Randolph, July 26, 1684, Ibid.) — "I remember what you advise, that the government be in the first place transposed and committed to the care of fitting persons upon the place, to prepare and accommodate affairs against the arrival of the Governor. . . . . The King has been pleased to make me Secretary and Register of New England. I have nominated you to be the King's Receiver-General of all New England, which will be a place of profit. I had other things to propose on your behalf, but that must attend a further opportunity." (Letter of Randolph to Dudley, Nov. 11, 1684, in Hutch. Coll., 542.) — In the sixth volume of the Mather MSS. in the Library of the Massachusetts Historical Society (p. 57 *et seq.*) is a memorandum, in Cotton Mather's handwriting, of letters from Dudley to Randolph in June or December, 1684, which show that Dudley was wholly in the interest of the British court, and that he was intriguing with Randolph for a place in the government which was expected to be set up. The authenticity of these memoranda of letters of Dudley which are not otherwise preserved is rendered probable by the correctness of other memoranda of the contents of letters now extant. — September 4, of the same year, Randolph wrote to Bradstreet: "Although I know you are Governor, yet I discourse of the management of your government as if you were not concerned in it. Truly I am glad that they take it off from you." (Mather MSS., VI. 168.) This illustrates the character and position of Bradstreet as I have described them. (See above, pp. 329 - 333, 362, 363.)

"Colonel Dudley, in King Charles the Second's reign, was intrusted with the precious *depositum*, their greatest treasure, their religious privileges and civil liberties, which were conveyed to them by charter, but were both betrayed by him." (Memorial of the Present Deplorable State of New England, Epistle Dedicatory. This rare and curious tract is anonymous. The copy which I saw in the British Museum has a manuscript marginal note, to the effect that the work was said, by Bishop Kennett, to have been from the hand of Sir Henry Ashurst. The Epistle Dedicatory, addressed to the Earl of Sunderland, is signed with the letters A. H.) "After Colonel Dudley had been an agent for the country, he tacked about, and joined with the instruments that overthrew their charter." (Ibid., 3.) — I am not sure whether Dudley's deferential address to Increase Mather, on the morning of the day when he was publicly to cut himself loose from good men's sympathies, is to be ascribed to hypocrisy and artifice, or to the force of some last misgivings. We may well suppose that his night had been uneasy. He had decided on his course, but he dreaded the consequences. Increase Mather was now the minister of most influence of any in the Colony. Dudley wrote to him as follows: —

"Reverend and dear Sir, — I rose this morning with full intention to wait on you by eight of the clock, before I had your letter to put me forward, and am sorry to find you from home. I am very solicitous, whatever be the issue of the present hurry, for my dear mother at Cambridge, and cannot be happy if it do not flourish. I never

mission from the King, and took formal possession of the government.[1] They appointed John Usher, who was

wanted your favor and advice so much as now, and would pray an opportunity with you this evening, if possible. Sir, for the things of my soul, I have these many years hung upon your lips, and ever shall; and in civil things am desirous you may know with all plainness my reasons of procedure, and that they may be satisfactory to you. From your own house, May 17, '86." (Hutch. Hist., I. 315, note †.)

[1] The Record of the Council (see above, p. 487) begins May 25. — The exemplification of the judgment against the charter, and the royal commission, having been read, and the oaths of office taken, "the President and Council took their places upon the bench, having before sat round the table in the Council-chamber." (Council Records.)

It seems there was some affectation of public festivity on this occasion. September 25, "Mr. Wharton presented his account (of wine drunk out on the entrance of his Majesty's government) amounting to £ 21, which, being read, was ordered to be paid by Mr. Treasurer Usher." (Ibid., 75.)

The President's speech was on the whole not offensive. He told the assembled magistrates and people, indeed, in sufficiently peremptory terms, that by the royal command he and his Council were "required, all excuses set aside, to take the charge and management of his Majesty's territory and dominion of New England, and by all means carefully to intend his service"; and that they would find "a sober, loyal, and dutiful demeanor towards his Majesty's government" to be "the plainest path unto their own happiness." But he declared that, in his administration, he would have their welfare in view, and "that, for the injuries late offered to himself by this people, he would not once have mentioned them, but to assure that he had perfectly forgotten them, and that he was a true and sincere lover of his country." (Ibid.)

But what he called his "injuries" had not been so entirely forgotten by him a week before, when he communicated his commission to the General Court; nor had he then trained himself so carefully to smoothness of speech. The reports which went abroad of his behavior on that occasion led to an order of the President in Council (June 3), that "whereas they were informed that many false representations and reflections had been made upon what was lately spoken and declared by the President in the Council-House at Boston, ... they had thought it expedient that the President's speech taken verbatim by credible persons be forthwith printed and published." It was printed accordingly, as having been delivered "to the late General Assembly," and a copy is extant. The following are extracts from this paper: —

"First, I must acquaint you that we may now take you only for such as you are, viz. considerable gentlemen of this place and inhabitants of all parts of the country, and so a proper assembly to have his Majesty's commands communicated to you. And under that notion we treat with you. We may not deal with you as a Governor and Company any more.

. . . . . .

"If any be so hardy (as is said) to object to any clauses in his Majesty's Commission, we have no direction or allowance to capitulate with you about

June 1. of the Council, to be Colonial Treasurer.[1] They lost no time in informing the Lords of the Committee of the ease with which the revolution had been effected, and of the measures which were in their contemplation for the future. As to military security, they wrote that, Peter Bulkeley having declined the office, they had intrusted the command of the Castle in Boston harbor to "Captain Wait Winthrop, a person of known loyalty"; and, so far from adhering to the ancient bigotry of the country, they gave assurances that the Reverend Mr. Ratcliffe, who they had been informed was to be sent over by the Bishop of London to institute Episcopal worship in Boston, should "want no encouragement" from them.[2] They referred to the "in-

June 11. conveniences happening by the indispositions

his Majesty's command therein. We hope you will not ask things of us we are not allowed to argue; such must apply themselves immediately to his Majesty. It may be thought the unkindness of this good people, and the many injuries they have done me, may have put me forward to do more in this matter than otherwise I would have done. I will endeavor, and (I will assure you) I will pray to God to enable me I may forget all injuries and prejudices.

. . . . .

"There will be always something for you to ask which cannot be laid before his Majesty but by the humble address of the persons now betrusted, and you need not solicit them to assist in what they know requisite for this people's good.

"*Mr. Danforth.* I suppose you expect no reply from the Court.

"*President.* I know no Court here in being, till the King's Court be in order and settled; and it will incur the King's displeasure so to understand yourselves, and I suppose what I now speak is the mind of the rest of the Council here present.

"To which the gentlemen of his Majesty's Council then assented." (Colonial Papers, &c.)

1 Council Records, 7, 15. — John Usher's brother's wife was a daughter of Lady Lisle. (See above, p. 451.) Judge Sewall (MS. Diary, November 13, 1685) records his visit of condolence to her on her mother's death.

2 "May 26, [1686, the next day after the inauguration of the government,] Mr. Ratcliffe, the minister, waits on the Council. Mr. Mason and Randolph propose that he may have one of the three houses to preach in. This is denied; and he is granted the east end of the town-house, where the Deputies use to meet, until those who desire his ministry shall provide a fitter place." (Sewall, MS. Diary.) July 23. "In answer to Mr. Ratcliffe's desire for maintenance according to the letters of the Right Honorable the Committee for Trade, bearing date the 30th of October, 1685, it is ordered

and refusal of several persons nominated in his Majesty's most gracious commission," and reported the vacancies existing in the places assigned in it to Governor Bradstreet, Dudley Bradstreet, and Saltonstall.[1] To their credit it is to be recorded, that they expressed the opinion that it would be "much for his Majesty's service, and needful for the support of the government and prosperity of all these plantations, to allow a well-regulated Assembly to represent the people in making needful laws and levies." They prayed for authority to establish a mint.[2] Arrangements were made for the administration of justice to proceed according to the ancient forms.[3]

that the contribution money collected in the church where he performs divine service be solely applied to the maintenance of Mr. Ratcliffe." (Council Records, 61; comp. 46, 51.) This was certainly no great liberality. Ratcliffe's church, the first Anglican church in New England, was organized by the choice of wardens, June 15. (Greenwood, History of King's Chapel, &c., 21 *et seq.*) Nine persons were present, besides Ratcliffe and Randolph. At the next meeting, four others appeared.

This Episcopal movement stimulated the old local feeling in respect to Church holidays. Judge Sewall enters in his Diary for 1685: "December 25, Friday. Carts come to town, and shops open as is usual. Some somehow observe the day, but are vexed, I believe, that the body of the people profane it; and, blessed be God, no authority yet to compel them to keep it." From the same cause there was a revival of interest in the old question about St. George's cross in the flag. (See above, Vol. I. p. 426.) In 1684, Gookin, Major-General of the militia of Massachusetts, ordered the captains of companies to procure flags with a green ground, and a red cross on a white field in the angle. This, I suppose, was the first resumption of the obnoxious emblem, and it occasioned no small dissatisfaction. November 11, 1686, Sewall resigned his commission as captain of the South company of Boston, "on account of an order to put the cross in the colors." (MS. Diary.)

[1] The President and Council also presented an Address to the King, congratulating him on the suppression of Monmouth's rebellion. (Council Records, 21 – 24; Colonial Papers, &c.) — May 29, the Governor issued his proclamation authorizing ministers to marry. — I may note here, that the first instance, as far as is known, of prayer at a funeral, was a little earlier. Judge Sewall records, in his Diary, that, August 19, 1685, at the burial of the Reverend William Adams, of Roxbury, "Mr. Wilson, minister of Medfield, prayed with the company before they went to the grave." (See above, Vol. II. p. 43.)

[2] Council Records, 30.

[3] Danforth, who of course had not been named a member of the Council, was not so much as appointed by them a Justice of the Peace. I do not know whether they intended an affront, when

The President took an oath to observe the Navigation Laws.[1]

The sanguine expectations of Randolph from the new order of things were disappointed. He grew constantly more exacting and absolute, and it was unavoidable that he and the President should soon fall out. The second month of the new government had not ended, when, laying his grievances before the Lords of the Committee, he wrote: "The proceedings of the Governor [President] and Council, whatever they write and pretend in their letters to your Lordships, are managed to the encouragement of the Independent faction, and utter discountenancing both of the minister and those gentlemen and others who dare openly profess themselves to be of the Church of England, not making any allowance for our minister more than we raise by contribution amongst ourselves. The frame of this government only is changed, for our Independent ministers flourish, and expect to be advised with in public affairs. .... Under the color of his Majesty's authority, the President takes great liberty to enjoin upon me in my station, and would not assist me to make a seizure of a vessel in the harbor, which my officers were not permitted to board. ..... My life may be made very uneasy, unless his Majesty shall be pleased graciously to recommend me to the care and protection of his General Governor, for whose speedy arrival all good men heartily pray."

Dissatisfaction of Randolph. July 28.

He complained that only two members of the government — Mr. Mason[2] and himself — were members of the Church of England; that, "of above sixty officers in the militia of the whole government, there were not above two captains, or three inferior officers, but were either

they raised a committee to examine his accounts as "Steward of the College." (Ibid., 58.) Deputy-Governor Barefoote was made a Justice for New Hampshire.

[1] Ibid., 35.

[2] Mason went to England in June of this year, to attend to his business before the Privy Council. (Ibid., 24.)

church-members, or such as constantly frequented those meetings, which made Non-conformists from all places resort there." The effect of this favor of the local government in encouraging the immigration of dangerous characters he specified in the instances of three considerable persons, who had lately appeared in Massachusetts.

Mr. Morton, he said, "an excommunicated minister," had lately "come hither from Newington Green. He was welcomed by the President, and designed to be masterhead of the College; but not daring to proceed at first by such large steps, he was called to be minister at Charlestown, a very good living, and was ready at hand to be President of the College. Two brothers, of the name of Bailey, great and daring Non-conformists at Limerick in Ireland, had been here two years, and well provided for. In the time of Monmouth's rebellion, most part of the ministers animated the people, saying the time of their deliverance was at hand; and not one of them prayed for his Majesty, nor would give credit to his Majesty's most gracious letter, signifying the overthrow of the rebels." Accordingly, the writer "humbly proposed, as greatly for the quiet and welfare of the plantation of New England, that no minister from England should be permitted to land without the license of the General Governor, and that he should have power or license to restrain from preaching such as were already upon the place. From all which" he concluded it to be "very necessary that his Majesty would be graciously pleased to send over a General Governor, to unite and settle this distracted country, and also to make good what was already begun in this Colony, the delay whereof might be of evil consequence, and give way for the factious people here to reassume the government, which they openly declared they had not parted withal, but expected an opportunity to be restored."[1]

[1] Randolph's Letter to the Lords of the Committee for Trade and Planta-

To his friend, Mr. Blathwayt, Randolph at the same time poured out his griefs still more largely. "The President," he wrote, "has so contrived the matter, that Captain George has received above two hundred pounds money, which legally belongs to me as collector and informer." The mutual dissatisfaction between the President and the members of his Council was such, that "now, instead of meeting to do public business, 't was only to quarrel, and that in such heats that it threatened to occasion the dissolving the government. I am forced," he continued, "to moderate others' passions, though I have most cause to complain, and quietly to suffer my profits to be shared out amongst others, till Sir Edmund Andros come over. He is longed for by all sober men who find themselves abused by the false President. . . . . .

tions, in Hutch. Coll., 544. — The circumstances of the time in England were not dissimilar from those which, sixty years before, had led to the project of a great emigration of patriotic Englishmen to Massachusetts. (See Vol. I. p. 301.) And there are indications of something of the kind being again on foot, and even taking place to some extent. For instance, in January, 1685, the General Court made a grant of land "in answer to the petition of John Blackwell, Esq., on behalf of himself and several other worthy gentlemen and others in England that were desirous to remove themselves into this Colony." (Mass. Rec., V. 467.) — "Divers persons in England and Ireland, gentlemen, citizens, and others, being inclined to remove themselves into foreign parts, where they may enjoy, without interruption, the exercise of Christian religion, according to what they apprehend of divine institution, have prevailed with Mr. Blackwell to make your country a visit, and inquire whether they may be there welcome, and whether they may reasonably expect that liberty they promise themselves, and others who will attend their motion." (Letter from Daniel Coxe to Governor Bradstreet, London, October 10, 1684, in Hutch. Hist., I. 310, note; comp. Mass. Arch., CXII. 341, 376 – 380.)

Captain John Blackwell had been Treasurer of the army, and a member of Parliament, in the time of the Protector Oliver. His marriage to a daughter of General Lambert is referred to in one of Colonel Goffe's letters from his wife. (Mass. Hist. Coll., XXI. 61.) He was one of the persons excepted from the general pardon at the Restoration. When he came to Boston, Dudley and his Council made him a Justice of the Peace. (Conn. Rec., III. 246, 247.) Mr. J. Hammond Trumbull further refers me to the fact that Blackwell, while in Boston, received a commission from William Penn to be Governor of Pennsylvania, and actually entered on that office in December, 1688. (Penns Col. Rec., I. 270.)

Mr. Stoughton is inclined to the Non-conformist ministers, yet stands right to his Majesty. Mr. Usher ..... is a just, honest man, and will not see his Majesty's interest suffer. But we are over-voted, and cannot help ourselves till Sir Edmund come to regulate the matter. ..... I am treated by Mr. Dudley worse than by Mr. Danforth, yet all under the pretence of friendship, and he is angry that I do not believe him. Honest Major Bulkeley is quite tired out, and can hardly be persuaded to come to Boston."[1]

To Archbishop Sancroft he addressed himself in an earlier letter, mainly devoted to ecclesiastical affairs. He had hoped that the townspeople of Boston "would voluntarily submit to have one of their three meeting-houses to be disposed of by the President and Council" for the worship of the Church of

His zeal for the Church July 7.

[1] Hutch. Coll., 546. In this letter is the earliest intimation I remember to have seen of the appointment of Sir Edmund Andros to be Governor of New England. — Disappointed as to allowances which he desired from the local government, Randolph sent (August 28) a memorial to the Lords of the Committee, praying that the President and Council might be directed to pay him £ 80 a year for clerk-hire, and to grant him certain perquisites alleged to belong to his office. (Colonial Papers, &c.) His quarrel with Captain George, above referred to, began very soon after they crossed the water together. He wrote home an account of an affray in which he was roughly treated by George, and a friend of George's named St. Loe, captain of the royal frigate Dartmouth. (Colonial Papers, &c. Comp. Council Records, 51, 81, 83; Mass. Arch., CXXVI. 120, 130.) September 24, St. Loe applied to the Council for leave to kindle a bonfire in or near Boston, and they refused it, both on account of danger to the wooden buildings of the town, and because "the spirits of some people were so royled and disturbed, that inconveniences beyond expectation might happen." (Council Rec., 76, 77.) The meaning of this I make out from an entry in Sewall's Diary. "1686. Saturday, Sept. 25. The Queen's birthday [the Queen was the Catholic Maria of Modena] was celebrated by the captains of the frigates, and sundry others, at Noddle's Island. King and Council's Proclamation of Nov. 6 last was published by beat of drum through the town, to hinder the making of bonfires in the town." October 21, both captains, in reply to a summons to appear before the President and Council, said that they were ready to obey any orders the President might send; "but as for the Council, they had nothing to do with them." (Council Records, 81.) The summons was repeated, but, as far as appears, their contumacy was not overcome.

England. Disappointed in that expectation, he had with much difficulty obtained for the purpose a little room in their town-house. Ratcliffe, "a sober man," the clergyman who by the appointment of the Bishop of London had come over with him, was now preaching twice every Sunday, administering baptism, and reading "prayers every Wednesday and Friday morning on their exchange." These unfamiliar proceedings led to "great affronts, some calling the minister Baal's priest, and some of their ministers, from the pulpit, calling the prayers leeks, garlic, and trash." Randolph had "often moved for an honorable maintenance for the minister," but the townsmen replied, that "those that hired him must maintain him, as they did their own ministers, by contribution." On his part, he "humbly represented that the three meeting-houses in Boston might pay twenty shillings a week apiece, out of their contribution, towards the defraying" the charges of the newly-imported church; and he advised the sending over of another minister, to keep the sacred fire alive, in case "any illness or indisposition should happen to the present incumbent." He had looked after "the bank of money in the hands of the corporation for evangelizing the Indians." The Archbishop had expressed himself as "very desirous that that money might be inquired after and applied to build a church and free school, that youth might be no longer poisoned with the seditious principles of this country." Randolph replied, that the sum in the hands of the corporation was not less than two thousand pounds, but at present he could not venture to add an attempt to seize it to the other causes of offence which he had found that he had given.[1]

[1] Hutch. Coll., 549–552. I fix the date of this letter by the incidental mention in it of its having been written on the day of the annual Commencement at Harvard College, the date of which, in this year, I ascertain from Mather's Almanac.

After further inquiry respecting the Society for propagating the Gospel among the Indians, Randolph was able to inform the Archbishop that there were "seven persons, called Commissioners or Trustees, who had the sole manage of it; the chief of which were Mr. Dudley, the President, a man of a base, servile, and anti-monarchical principle; Mr. Stoughton, of the old leaven; Mr. Richards, a man not to be trusted in public business; Mr. Hinckley, Governor of Plymouth Colony, a rigid Independent; and others like to these." The Commissioners, he said, were complained of to Mr. Ratcliffe by the Indians for making them no allowance for the winter; and they "would not suffer Aaron, an Indian teacher, to have a Bible with the Common Prayer in it, but took it away from him." Randolph informed his correspondent that the money annually received from England by the Commissioners amounted to not less than three or four hundred pounds, — some reckoned it as high as six hundred pounds, — and that with this they "enriched themselves, yet charged it all as laid out upon the poor Indians." He represented that "the money now converted to private, or worse uses, would set up good and public schools, and provide maintenance for the Church minister, who now lived upon a small contribution." There was urgent need for "good schoolmasters, none being here allowed of but of ill principle; and till there was provision made to rectify the youth of the country, there was no hope that the people would prove loyal." The prospects of the new church were encouraging. There were "at present four hundred persons who were daily frequenters of it; and as many more would come over, but some being tradesmen, others of mechanical professions, were threatened by the Congregational men to be arrested by their creditors, or to be turned out of their work, if they offered to come to church." The members of the First Church,

October 27.

whose house of worship was near the exchange, were peculiarly "tender-conscienced." Randolph "desired them to let their clerk toll their bell at nine o'clock, Wednesdays and Fridays," for the new congregation "to meet to go to prayers. Their man said, in excuse for not doing it, that they had considered and found it intrenched on their liberty of conscience granted them by his Majesty's present commission, and could in no wise assent to it."[1]

Affairs of New Hampshire and Maine.

During the existence of the government of Dudley and his Counsellors, New Hampshire, Maine, and the Narragansett country had no political history distinct from that of Massachusetts. Dud-

1 Hutch. Coll., 552, 553. — My readers may think they have had specimens enough of Randolph's reports on the state of things at this period in Massachusetts. But I will venture further on a few short extracts from his correspondence.

"I humbly propose it very necessary for the good governing of this plantation that his Majesty's General Governor be likewise empowered to displace such persons in the Council who oppose his Majesty's interest, and elect others in their stead; otherwise, 't will not be possible to raise a revenue for the support of this government. Great numbers of people are transplanting themselves from England, Scotland, &c., to this country. One ship has now brought us fifty passengers, with two non-conformist ministers. I have pressed that all persons above sixteen years old should present their names, and give an account of themselves, and also be obliged to take the oath of allegiance." (Letter to the Lords of the Committee, August 23, in R. I. Rec., III. 205.)

"The Independent faction still prevails, and persons of dangerous principles from England, Ireland, and other places, are here received and highly encouraged. They have put Captain Blackwell, Oliver's Treasurer in London, son-in-law to Lambert, excepted in the Act of Indemnity, and a violent Commonwealth's man, to be of the Commission of the Peace, and a man consulted with in all public affairs. The independent ministers, and others, make every ill use of his Majesty's indulgence and liberty of conscience. Some of them have spoken treasonable words in their pulpits, of which (to no purpose) I have complained to the President and Council; so that I am humbly of opinion that liberty of conscience will much obstruct the settlement of this place, unless duly regulated by the authority of a prudent Governor sent hither. . . . . Mr. Dudley, our President, was not long since a zealous preacher amongst us; and though, while in London, he pretended to be of the Church of England, yet, since he is made President, courts and keeps private cabals with these factious ministers and others, who, in the time of Monmouth's rebellion, refused to pray for his Majesty." (Letter to Lord Danby, August 23, in R. I. Rec., III. 206, 207.)

ley's Council lost no time, after its organization, in discharging Danforth from the Presidency of Maine.[1] The short remainder of Barefoote's administration in New Hampshire, before the Province was again incorporated with Massachusetts under Dudley's government, was inefficient and disturbed;[2] but it accomplished the renewal of pacific engagements on the part of some Indians about the Piscataqua and further east, who were suspected of preparing for another outbreak.[3] The history of Plymouth, Rhode Island, and Connecticut during the same time is barren of incidents. The period was one of uncertainty and suspense, and there was little public action except to provide for the exigencies of the passing hour. Plymouth, always destitute of even the imperfect protection of a charter, lay entirely at the King's mercy. The same tyranny that had annulled the charter of Massachusetts might at any time strike at the charters of Rhode Island and Connecticut. Men's hearts failed them for fear.

1685. September 8.

At Plymouth King James was "solemnly proclaimed, according to the form required by his Majesty's most honorable Privy Council"; a division was made of the Colony into counties, three in number, named Plymouth, Barnstable,

Proceedings at Plymouth.

April 24.

June 2.

1 On the fourth day after their organization (May 29) they despatched an order to Maine "to make stop of all money in the Collectors' hands, which was ordered to be raised by Mr. Danforth, or others by his warrant." (Council Records, 17.) Thomas Sutton was made Randolph's Deputy Secretary for Maine; and Richard Waldron, for New Hampshire. (Ibid., 44, 54, 60.)

2 In the New Hampshire Archives are papers relating to a fight of Mason and Barefoote, December 30, with two members of the Assembly. One of these, named Wiggen, threw Mason into a fire; the other, Nutte, took away his sword; and Barefoote had a tooth and two ribs broken.

3 Richard Wharton, a Counsellor, was commissioned as Admiralty Judge for New Hampshire; Richard Chamberlain, the Secretary, as Admiralty Register; and Joseph Smith, as Admiralty Marshal. (Colonial Papers, &c.) Wharton, son of Philip, Lord Wharton, was one of the Narragansett proprietors. (Conn. Rec., III. 306.)

June 4. and Bristol;[1] and consequently sheriffs were now first appointed, the duties belonging to that office having been previously performed by constables. The Colony sent an Address to the

June 26. King, again begging for a charter, and received from him a letter informing them of the miscarriage of the enterprises of the Earl of Argyll and the Duke of Monmouth.[2] A revised edition of the Colonial laws was published. These are the only public occurrences recorded in the history of that Colony during the twen-

1686. October. ty months that elapsed between the death of Charles the Second and the time when the public record was brought to a close.

In Rhode Island, when five years had elapsed after

1674, 1675, 1678. 1683, May 2. the death of William Coddington, who, in his old age, had been called from his long retirement and for three years made Governor of the Colony, his son, bearing the same name, was advanced to the same dignity. He was re-elected in two successive years. The last of these elections took place in the

1685. May 5. anxious time which immediately followed the accession of the new monarch, and he positively declined to serve. It may be supposed to have been by his own preference that he was not a member

May 6. of the Committee, which, by the appointment of the General Court, addressed a letter of congratulation to King James.[3]

Randolph's plan for the subjugating of New England embraced the two Colonies which had obtained charters from King Charles the Second. The new reign had scarcely begun, when the busy informer appeared before the Lords of the Committee for Trade and Plan-

[1] Plym. Rec., VI. 160, 169; comp. Hinckley's letter to the Lords of the Committee, in Mass. Hist. Coll., XXXV. 135.

[2] Mass. Hist. Coll., XXXV. 137, 139.

[3] R. I. Rec., III. 168–170. — I do not find that King James was formally proclaimed in Rhode Island.

tations with Articles of Misdemeanor against Rhode Island and Connecticut.[1] Some of his charges against the Governor and Company of Rhode Island were, that they raised money by illegal impositions upon the inhabitants; that they denied appeals to the King; that they made and executed laws contrary to the laws of England; that they did not suffer the laws of England to be pleaded in their courts; that their legislators and magistrates took no legal oaths; and that they violated the laws of Trade and Navigation. The King in Council referred this representation to the Attorney-General, with an order to prepare a writ of *quo warranto* against the Colony.[2]

Randolph's proceedings against the charter of Rhode Island. July 15.

July 17.

Randolph served the writ soon after his arrival at Boston with the commission for Dudley and his Council.[3] The Governor called an early meeting of the Assembly, and summoned the whole body of the inhabitants "to make their appearance either in person or in writing; . . . . . and, in submission to the said notice given, many of the freemen did meet and give in their judgments to the Assembly; and then left the further proceeding concerning the premises to the judicious determination of the Assembly." The judicious determination of the Assembly was "not to stand suit with his Majesty, but to proceed by humble Address to his Majesty to continue their privileges and liberties according to their charter, formerly granted by his late Majesty, Charles the Second, of blessed memory." An official Address, of the tenor thus described, was prepared and sent, its prayer being enforced by the declaration that the petitioners were "a people that had been and were

1686. June 12.

1 Colonial Papers, &c.

2 R. I. Rec., III. 175–178. Some delays occurred, and the date of the writ is October 6. (Ibid., 190.)

3 Governor Clarke of Rhode Island had hastened to address to him a fulsome letter of welcome, two days after he landed. (R. I. Rec., III. 198.)

leal to the royal interest, and despised by their neighboring Colonies." But dissent and contradiction were of the very essence of society in Rhode Island. Some conspicuous citizens sent to the King another Address on their own part, declaring that, as to the Address of the Colony, they "knew nothing of it, neither had they left the further proceedings with the Assembly." They said they preferred that there should have been a more "full and free submission and entire resignation"; and they asked to be "discharged of all levies and contributions to defray the charges of an agent's going for England, to which they could not consent."

July 16.

And yet another Address followed from the Quakers.[1]

August 25.

An early act of Dudley and his Council was to constitute a provisional government, consisting of three persons, inhabitants of the "Narragansett Country, or King's Province," to "keep the peace" in that district, at the same time discharging all the King's subjects within its bounds from the government of the Governor and Company of Connecticut, and of Rhode Island and Providence Plantations, and all others pretending any power or jurisdiction."[2] Dudley soon repaired to the King's Province in person, accompanied by Randolph

The new government in the Narragansett country.

May 28.

June 23.

[1] R. I. Rec., III. 192–195. The engrossing of this Quaker Address, which is preserved among the Colonial Papers, is in beautiful style. The memorialists speak in the authorized respectful phrase of "His Majesty," and "humbly prostrate themselves before him." They must have been wet Quakers. — Among the signers of the Address of July 16 were John Greene, Peleg Sanford, Francis Brinley, and two Coddingtons. — Yet another Address to the King was made later in the year. October 11, some "principal people" of Providence Plantations informed him of their desire to surrender their charter, and be annexed to "the government of Massachusetts, Plymouth, and King's Province," inasmuch as they "needed more perfect rules and able ministers than were at present to be found among them." And they prayed that they might "not be looked upon as consenting to any agency or Address of other import, or made chargeable for the same." (Colonial Papers, &c.)

[2] R. I. Rec., III. 197; comp. 180, 172.

and by Fitz-John Winthrop and Richard Wharton, members of his Council. They caused their commission to be read, administered the oath of office to several justices, and appointed commanders of the militia. They gave new names to "the three towns," directing the names of Kingston, Westerly, and Greenwich to be superseded respectively by Rochester, Feversham, and Deptford. They decided favorably on the claim of the Atherton Company to the possession of the tract which had been the occasion of so much debate. They organized courts of justice, and made regulations for a peaceable settlement of questions arising between the owners of lands and irregular settlers upon them.[1] It was in such arrangements of organization and administration that the force and clearness of Dudley's mind appeared to most advantage.

Proclamation of King James in Connecticut. 1685. April 22.

On the third day after the arrival in Connecticut of the proclamation, by the Privy Council, of the accession of King James, the Governor and Magistrates caused him to be proclaimed at their capital with due solemnity. They at the same time framed a short Address of condolence and congratulation to the new monarch, in which they prayed for the "benign shines of his favor on his poor colony."[2] The General Court, which assembled in the following month, passed a vote approving these transactions, and framed another Address, in which they especially expressed their gratitude for the promises of toleration with which the King had begun his reign.[3]

May 14.

Randolph's proceedings against the charter of Connecticut. July 16.

The Addresses reached England about the time that the Articles of High Misdemeanor against Connecticut were presented by Randolph to the Privy Council. These charged the Colony with making laws contrary to the laws of England; with imposing fines upon the inhabitants; with en-

[1] R. I. Rec., III. 200–202.
[2] Conn. Rec., III. 172, 339, 341.
[3] Ibid., 172, 178–180.

forcing an oath of fidelity to itself, and neglecting the oaths of supremacy and of allegiance; with forbidding the worship of the Church of England; with denying justice in the courts; and with "discouraging and excluding the government all gentlemen of known loyalty, and keeping it in the hands of the Independent party."[1] The same course was taken by the Privy Council with these Articles as with the similar representations against Rhode Island.[2]

Two days after the inauguration of Dudley's government in Massachusetts, Randolph wrote to the Governor and Magistrates of Connecticut, informing them that he was intrusted with a writ of *quo warranto* against that Colony. "His Majesty intends," said he, "to bring all New England under one government; and nothing is now remaining on your part, but to think of an humble submission and a dutiful resignation of your charter, which if you are so hardy as to offer to defend at law, whilst you are contending for a shadow you will in the first place lose all that part of your Colony from Connecticut to New York, and have it annexed to that government, a thing you are certainly informed of already; and nothing will prevent, but your obviating so general a calamity to all New England by an hearty and timely application to his Majesty with an humble submission. . . . . I expect not that you trouble me to enter your Colony as a herald to denounce war. My friendship for you inclines me to persuade an accommodation; and, to that end, I desire you to send me word whether you will favor yourselves so far as to come to me in Boston, where you will be witnesses of our peace and belief of his Majesty's government not such a scarecrow as to affright men out of their estates and liberties rather than to submit and be happy. . . . . Sirs, bless not yourselves with

1686. May 27.

[1] Chalmers, Political Annals, 301 – 304. [2] Conn. Rec., III. 349 – 352.

vain expectation of advantage, and spinning out of time by my delay. I will engage, though the weather be warm, the writs will keep sound and as good as when first landed."[1]

Randolph concealed the fact, that, by reason of the length of his voyage from England, the time for the appearance of the Colony to contest the writ had already expired; and he used this insolent language in the hope that he might avoid the necessity of producing the writ, by inducing the government of the Colony to surrender their charter without abiding the legal process. On the reception of his letter, the Governor called a special session of the General Court, which resulted in nothing but another Address to the King, soliciting, with the usual arguments, the discontinuance of proceedings against the charter, which favor would be an "experience that in the light of the King's countenance is life, and his favor is as the cloud of the latter rain." A fortnight after, Randolph came to Hartford, and served the writ in person on the Secretary and one of the Magistrates.[2]

July 6.

July 20.

The General Court was again convened. Two days before its meeting a confidential letter came to the Governor from Dudley, urging upon Connecticut the expediency of seasonably seeking a union with Massachusetts rather than with New York, in "the new modelling and perfect settlement of all his Majesty's provinces . . . . . now lying before his Majesty, and probable to have a sudden and lasting despatch."[3]

July 26.

1 Conn. Rec., III. 352 – 354.

2 Ibid., 207 – 210, 356 – 358. — At this time the Governor wrote two conciliating letters to Dongan, Governor of New York. (Ibid., 354, 355.) He bespoke Dongan's good offices with the home government, and went so far in his civility as to intimate that, "if Connecticut Colony must fall, and part of it be westward, it may be as easy for us to fall that way as eastward."

3 Ibid., 358, 359. — Dudley said that, in a few days, two of his Council (Wait Winthrop, a cherished name in Connecticut, being one) would repair to Hartford, for a conference with the

To this voice of the charmer Connecticut gave no heed. Her object was the conservation of her separate independent polity. The General Court "desired and empowered the Governor, and so many of the Assistants as should convene upon the Governor or Deputy-Governor's order, ... to procure an agent to appear before his Majesty; ..... and generally to do whatsoever might be judged necessary for the prosecution of the Colony's affairs in England." And the desponding temper of the Assembly was expressed in the further vote, "that, if so be there was case of necessity, the agent might have instructions in behalf of the Colony to accept and submit to such regulations as his Majesty should think fit." Mr. William Whiting, a merchant of London, son of one of the early settlers of Hartford, was intrusted with the agency.[1] He did his best, but he accomplished nothing.

July 23.

No further public action was had on the pending question, except to confirm, three months later, acts which had been done by the Governor and Magistrates in obedience to the instructions of the General Court.[2] The time specified for the appearance of the Colony in Westminster Hall having already passed before the service of the writ, the agent was instructed to employ counsel to make the most of this advantage. But, in view of the existing state of affairs in England, and of the corruption of the courts, little confidence was felt in the success of this attempt. If the charter should be vacated, as was too probable, the issue was expected to be

government of Connecticut upon this matter. Shortly after (in a letter read before the Lords of the Committee, October 21) Dudley and his Council reported that they had settled affairs in the King's Province, and that, when the Charters of Rhode Island and Connecticut should be vacated, it would be advisable to annex those Colonies to Massachusetts, as Massachusetts depended on them for agricultural supplies, and they on Massachusetts for imported commodities. (Colonial Papers, &c.)

[1] Conn. Rec., III. 211 – 213, 237, 368; comp. Ibid., 360 – 362, and Randolph's letters in Hutch. Coll., 544, 547.

[2] Conn. Rec., 217.

that Connecticut would be annexed to Massachusetts or to New York, or else that her territory would be divided by the Connecticut River, and one of the severed parts be attached to each of those Colonies. While President Dudley desired to influence Connecticut to prefer an annexation to Massachusetts,[1] Governor Dongan of New York aimed at the same enlargement for his Colony.[2] The Governor of Connecticut kept himself in a neutral position. He wrote to Dongan for advice, and received from that able functionary a representation of the benefits to result from leaning to his side, after "a downright humble submission" to the King.[3]

But a speedy end was to be put to these hopeless struggles. The year was just closing when Sir Edmund Andros arrived at Boston, bearing a commission for the government of all New England.[4] December 20.

1 When Dudley's two Counsellors, according to his proposal mentioned above, visited Connecticut, they bore a letter in which, setting forth briefly the expediency for Connecticut of a union with Massachusetts on grounds of mutual commercial dependence and "the common interests of religion and liberty," he referred to his messengers for a further exposition of his views. (Conn. Rec., III. 363.) Secretary Allyn drew up a reply, consisting of general expressions of good-will. The following sentences in the original draft were struck out: "Your own settlement is, to the duration of it, so uncertain, that much confidence cannot be put in it. As to our choice, whether we may enjoy it if we should make it, is not certain. If we do make it, and should not enjoy it, what prejudices may follow is doubtful." (Ibid., 364.) — Randolph wrote from Boston to his friend Blathwayt in London, July 28: "Our Council have sent Major Pynchon and Captain Winthrop to Hartford to persuade them to accommodate the matter, so as they may be added to the government here. How far that will prevail, I know not. They are sensible of Mr. Dudley's encroachment on all and every side, and are unwilling to trust him, and are strongly invited to come under New York." (Hutch. Coll., 547.)

2 Dongan was commissioned as Governor of New York, September 30, 1682. Andros went to England, January 11, 1681. In the interval the government was administered by Anthony Brockholst.

3 Conn. Rec., III. 365 – 367; comp. 372. Dongan had lately written to the Lords of the Committee that, by reason of the poverty of the revenue from New York, there was an "absolute necessity" for the annexation to it of Connecticut. (Ibid., 368, note.)

4 Mather, in his "Parentator," published in 1724, passes over the Presidency of Dudley in silence, proceeding at once (p. 98) from the abrogation of the charter to the arrival of Governor Andros.

CHAPTER XIII.

The government of Andros in New England lasted two years and four months. Before proceeding to relate the course of its events, the principles upon which it was constituted may be set forth in a few words. He who reads and ponders them will no longer wonder at the pertinacity with which the Colonists had struggled against the abrogation of the charters. Their resistance is vindicated by the results of its defeat. The King, who in England had been pleased to distress and affront his subjects to the last limit of endurance, now, when the protection of the charters was withdrawn, proceeded in New England according to the same tyrannical pleasure.

The discovery of New England by the Cabots, subjects of the King of England, made that monarch the sovereign of New England, according to the recognized public law of the time. The King of England gave the territory, by his charter, to the Plymouth Company.[1] After the failure of that corporation, he gave the lands to the Council for New England.[2] After the dissolution of that Council, he gave part of the lands to the Governor and Company of Massachusetts Bay.[3] This company emigrated, and established themselves upon the soil, which, by virtue of their ownership obtained from the King, they proceeded from time to time to appropriate in parcels to their own assigns, after buying out the adverse title of the native inhabitants, as often as such a title was set up. Sometimes the Governor and Company conveyed parcels of land to individuals. Oftener they conveyed it

[1] See above, Vol. I. p. 82. [2] Ibid., p. 192. [3] Ibid., p. 290.

to bands of settlers, whom, for the purpose of managing the common business, they invested with corporate municipal authority, and recognized as towns; and the towns distributed to individuals the lands with which they had been endowed by the Governor and Company. Thus, in English law, the titles to landed property in Massachusetts rested ultimately on the gift of the King of England.

Other corporations, besides towns, had been created by the Governor and Company of Massachusetts. Harvard College, the Artillery Company, the Atherton Land Company, are examples. The Colonists, under the interpretation which they gave to their charter, established a representative government. They levied taxes on inhabitants and sojourners, as well on those who were not, as on those who were, members of their company. They set up tribunals of justice, with powers extending to every issue that could be tried, even to the issue of life and death. They made war and peace. They coined money. They exercised all functions of a government.

Theory of Andros's government.

By a competent tribunal, the highest court of the empire, the charter of the Governor and Company of Massachusetts Bay had now been declared null and void. In English law, every right, privilege, and immunity which had been founded upon the charter fell with the charter, — as much those rights which the charter had been designed to convey, as those, if there were any such, which had been foisted into it by erroneous constructions.

Among those rights conferred by the charter which its abrogation had annihilated, the right to distribute and convey lands was prominent. Failing that right, the title of the assigns failed also;[1] and from this it followed that there was not an acre in Massachusetts but now belonged to King James the Second by hereditary and by official

[1] The formula was, *Moritur partus in gremio parentis*

descent from King Henry the Seventh, the original Christian owner. Accordingly King James, whenever it should please him, might equitably proceed to oust the present holders from property, which, under the security of his father's grant, their families had been at great cost and hardship to acquire, and had peaceably possessed for nearly sixty years.[1]

The court doctrine of the existing relation of Massachusetts to the parent country entailed other consequences. Massachusetts belonged not to the "empire of the King of England," but to the "dominion of the Crown of England." Her people might not claim any birthright of Englishmen, as such, but "the Crown of England might rule and govern them in such manner as it should think most fit." They were in the condition of Ireland, which was "a conquered kingdom," and which, according to Sir Edward Coke, had no interest in the Great Charter, before the time when the privileges of that instrument were extended to it by the favor of the first Tudor king. The practical conclusion was: "The Plantations, ... without any regard to Magna Charta, may be ruled and governed by such methods as the person who wears the crown, for the good and advancement of those settlements, shall think most proper and convenient."[2] Not only had Massachusetts no law-making or executive power of her own. The safeguard which the struggles of past ages had won for the security of the lives, liberty, and property of Eng-

[1] "Those who were in confederacy with Sir Edmund Andros for the enriching themselves on the ruins of New England . . . . . gave out that, now the charter was gone, all their lands were the King's; that themselves did represent the King; and that therefore men that would have any legal title to their lands must take patents of them, on such terms as they should see meet to impose." (The Revolution in New England Justified, &c. The Preface to this anonymous tract is subscribed with the letters E. R. and S. S. It was probably written by Edward Rawson, formerly Secretary, and Samuel Sewall, afterwards Chief Justice.)

[2] John Palmer, Impartial Account of the State of New England, pp. 14–19.

lishmen afforded to her people no protection in the courts of England.

Such, briefly set forth, were the doctrines which Andros, as "Governor in Chief in and over the territory and dominion of New England," was sent thither to reduce to practice, as opportunity should serve.[1] His jurisdiction for the present embraced nothing except the Colony of Plymouth and the County of Cornwall,[2] in addition to the territory that had been presided over by Dudley. In his administration he was to have the advice of a Council, the first members of which were appointed by the King;[3] the Governor might displace them at pleasure, but the King was to fill the vacancies. With the consent of his Council, the Governor might make laws, which were to conform to the laws of England, and to be sent to England for the royal sanction. He might require the oath of allegiance to be taken by any and every person within the jurisdiction. He was to regulate the currency, and to prevent the coining of money.[4] He could reprieve and pardon.

Constitution of Andros's government.

1 His commission, bearing the date of June 3, 1686, is in Mass. Arch., CXXVI. 16; R. I. Rec., III. 212.

2 Mass. Hist. Coll., XXVII. 160.

3 The Counsellors are not named in the commission. From its language, I understand Andros's Council to have been but a continuation of Dudley's, as to all the country which that government had included. When the Counsellors from Plymouth and Rhode Island took their seats (December 30), "his Excellency commanded the members to be called over by their names, and take their places as set down in certain articles of instruction from his Majesty to his Excellency the Governor." (Council Records.) For these Instructions see O'Callaghan, Documents, &c., III. 543.

4 "1685, October 27. No mint to be allowed, but the Governor by proclamation to regulate the value at which pieces of eight [Spanish dollars] and other foreign coins shall pass in New England." (Colonial Papers, &c.) January 15, 1686, the officers of the mint reported to the Lords of the Committee that the fineness of the New England coins equalled that of the English, but that their weight was 22½ *per centum* less than that of the English pieces of the same denomination. (Ibid.) — "Many goldsmiths in London can testify that the money coined in New England is as good as that in England, and not of a baser alloy. ..... Did not the Lord Baltimore in Maryland coin money with his image on one side and his coat of arms on the other? Did not the East India Company?" ("New England Vindicated," &c., Lon-

With the advice of his Council, he could make regulations of trade; constitute courts of justice (whose decisions, however, were subject to an appeal to the King); and appoint judicial, executive, military, and naval officers. He was commander of the militia and of the forts, and Vice-Admiral and Admiralty Judge. He was empowered to "agree with planters and inhabitants" for the payment of quitrents. He was to protect liberty of conscience, and particularly to "countenance and encourage" the Church of England.[1] With the advice of his Council, he might impose taxes for the support of his government; but the old laws and customs for raising money were to continue in effect till superseded by further legislation. Andros was to receive an annual salary of twelve hundred pounds, as "Governor of New England, out of the revenue arising there," and his stipend was to be remitted from England "until a revenue should be settled in New England for the support of the government."[2] He brought for the use of his government a seal and a flag, both of a new device.[3]

1686. June 7.

don, 1688. Was this tract of eight pages written by Increase Mather?) June 2, 1686, the Council of Massachusetts voted to ask the King's permission to establish a mint. (Council Records.)

[1] Chalmers, Annals, 463. — "It is thought fit that a clause be inserted in Sir Edmund Andros's instructions, directing him to appoint churches within his government of New England, and that he return an account from time to time of his proceedings therein." (Colonial Papers, &c., June 3, 1686.)

[2] Colonial Papers, &c.

[3] The curious reader may see a description and representation of the seal in the volume of Proceedings of the Massachusetts Historical Society for 1862, 1863 (p. 79; comp. Historical Magazine, &c., VI. 105); and of the flag, in Arnold's History of Rhode Island, I. 496. The flag is a red cross on a white ground, showing in the centre a crown wrought in gold, with the letters J. R. The seal is described in the receipt which Andros gave for it, September 29, 1686. It was "engraven on the one side with his Majesty's effigies standing under a canopy, robed in his royal vestments and crowned, with a sceptre in the left hand, the right hand being extended towards an Englishman and an Indian, both kneeling; the one presenting the fruits of the country, and the other a scroll, and over their heads a cherubim, holding another scroll with this motto, '*Nunquam libertas gratior extat,*' with his Majesty's titles round the circumference; — there being on the other side the King's arms, with the garter,

Andros had now been absent from America nearly six years, during which time he had received the honor of knighthood, and risen to the command of a regiment in the royal army. When the well-proved wickedness of Colonel Kirke had satisfied King James of the expediency of retaining him for service in England, it was natural that he should turn his attention to Sir Edmund Andros as the person most fit to carry out his plans in America. He had known Andros many years as a person of resolution and capacity, of arbitrary principles, and of habits and tastes absolutely foreign to those of the Puritans of New England; and could scarcely have been ignorant of his personal grudge against Connecticut, and especially against Massachusetts, on account of old affronts. It was not to be doubted that here was a man prepared to be as oppressive and offensive as the King desired.

December 19.

The frigate which brought the Governor arrived in Boston harbor on a Sunday. Attended by a company of soldiers,[1] he landed the next day. At the end of Long Wharf he was met by "a great number of merchants and others, with all the militia of horse and foot," who escorted him to the town-house at the head of King (now State) Street.[2] There he caused his commission to be read, produced the great seal of his government, took, and administered to

Andros's assumption of the government. December 20.

crown, supporters, and motto, and this inscription round the circumference: '*Sigillum Novæ Angliæ in America.*'"

1 "About sixty red-coats," says Judge Sewall in his Diary. According to the author of the very vigorous contemporary treatise, "A Vindication of New England," &c. (14), Andros's soldiers did not recommend themselves by good conduct. "Those that were brought a thousand leagues to keep the country in awe; a crew that began to teach New England to drab, drink, blaspheme, curse, and damn; a crew that were every foot moving tumults, and committing insufferable riots amongst a quiet and peaceable people."

2 The Council had made arrangements, at a meeting held November 11, for a stately reception of Sir Edmund. I do not know what to make of an order passed on that day to desire the minister officiating at the Thursday Lecture "to hasten his sermon," unless its length was thought to interfere with the military preparations.

eight Counsellors, the oaths of office, and ordered that all persons holding civil or military trusts should provisionally continue to exercise their functions.[1] A meeting of the Council was appointed for the ninth day after, to afford opportunity to summon the Counsellors from Plymouth and Rhode Island. Five Counsellors then appeared from each of those Colonies.[2] The Governor caused his commission to be read again; administered the oaths of allegiance and of office to the new-comers; took an oath "for observing the Acts of Trade and Navigation"; and directed an issue of new commissions to officers throughout his jurisdiction.[3]

December 30.

It was ordered, that certain duties hitherto levied in Massachusetts on imported articles should henceforward be levied and collected in the other Colonies of the jurisdiction, and that "a single country rate of one penny in the pound" should be assessed for present use. The Council were informed that

1687. January 3. January 4.

1 Mass. Arch., CXXVI. 164.

2 "His Excellency demanded of Walter Clarke and other members of the Council for Rhode Island the delivery of their charter. They made answer, It was at their Governor's house at Newport, and that it should be forthcoming when sent for, but on account of the tediousness of the bad weather it could not then be brought." (Original Journal of Andros's Council.) — "There are no public records, from the dissolution of the old charter government in 1686, until the restoration of it in 1689. If there was any book of records, it was secreted or destroyed." So wrote Governor Hutchinson (Hist., I. 317, note). But he was in error. (See above, p. 486, note.) Recently it further turns out that the transcript of which a copy was obtained in England for the Commonwealth did not represent the original Journal, but was merely a full abstract of its contents, prepared for the inspection of the Lords of the Committee, with such compression and suppressions as the humor or purposes of the Secretary (Randolph) might direct. The original Journal for the first four months, in the handwriting of Randolph's clerk, with interlineations by himself, is in the library of the American Antiquarian Society; — from what source obtained, is not now known. It is to this document that I refer for the period which it covers. The list which Hutchinson printed of the Council (Ibid.), found by him "upon a defensive leaf of an old Colony law-book," proves, on a comparison with the original Journal, to be very nearly correct.

3 This arrangement probably put money into the pockets of Secretary Randolph.

the Lords of the Committee expected to receive every quarter a report of proceedings in the Colony;[1] and an effective step was taken for the disarming of opposition to the intended proceedings, by the appointment of Dudley to be censor of the press, accompanied with a prohibition of the printing of anything "either in Boston or Cambridge," without his license.[2]

January 22.

January 28.

After the first week the meetings of the Council were thinly attended. Out of twenty-six members besides the Governor and Secretary, sometimes not more than six or eight appeared, and in some instances even a smaller number. The members who came were mostly the retainers of the Governor and Randolph. Stoughton was very rarely absent, and Dudley still less frequently. Thus far Dudley was fully in the interest of Andros. Thus far Stoughton was the shadow and echo of Dudley. Accordingly the Governor

Proceedings of the new government.

1 According to that account of the proceedings at this meeting which was sent by Randolph to England, five ports of clearance and entry were now designated, viz.: Boston, Salem, Portsmouth (N. H.), Bristol, and Newport. But the original Journal has nothing to that effect. It, however, records the arrangement as having been made, March 8, with the addition of the port of Pemaquid.

2 Randolph had previously assumed to be censor of the press. Just before the Governor's arrival (December, 1686), Greene, the Cambridge printer, received the following order: "Mr. Greene, I am commanded by Mr. Secretary Randolph to give you notice that you do not proceed to print any Almanac whatever without having his approbation for the same. Yours, Ben. Bullivant." My learned friend, Mr. Haven, points out the meaning of this order. (Proceedings of the American Antiquarian Society, April 24, 1861.) In the Almanac which was published for the year 1687 (Tulley's Ephemeris, printed by Greene), the holidays of the Episcopal Church, for the first time in New England, were entered in the Calendar; opposite the date of January 30 was the memorandum, "King Charles murdered"; and at the beginning was placed a list of the English sovereigns, omitting the Commonwealth and the Protectorate, and ending with the lines,

"And may we look on monarchy, and sing,
'In health and peace long live great James, our King!'"

I may add that Tulley's Almanac for 1687 was the first New-England Almanac that began the year with the month of January. Down to this time, March had been reckoned the first month.

and the Secretary could take their measures with scarcely a show of opposition. Dudley and Stoughton were gratified by being appointed "Judges of the Superior Court";[1] the former with an annual salary of a hundred and fifty pounds, the latter, of a hundred and twenty pounds.

April 25.

July 27.

In legislation there was a prudent delay, probably intended by the Governor to give him opportunity to observe the temper of the people. One very important Act, however, — the first in the collection of his statutes, — was passed within a few weeks after the beginning of his administration. It was entitled, "An Act for the Continuing and Establishing of several Rates, Duties, and Imposts." It provided that every year, beginning four months after the enactment, the Treasurer should send his warrant to the Constable and Selectmen of every town, requiring the inhabitants to choose a taxing Commissioner; that the Commissioner and the Selectmen should in the next following month make a list of persons and a valuation of estates within their respective towns; that, in the next month after this, the Commissioners for the towns in each county should meet at their respective county towns, and compare and correct their respective lists to be forwarded to the Treasurer, and that he should thereupon issue his warrant to the Constables to collect the taxes, so assessed, within ten weeks. And every Commissioner or Selectman neglecting to perform this duty was punishable by a fine.[2] The *Rate* was adjusted by this law according to the ancient system of Massachusetts.[3] The prescribed duties

March 3.

1 Council Record. "President of the Council, and Chief Judge of the Territory; a chief tool of all the ensuing barbarous and infamous administration." (Deplorable State of New England, 3.)

2 Conn. Rec., III. 405–411. A collection in manuscript of the laws of Andros and his Council (the only record of them known to be in existence) was found by Mr. J. Hammond Trumbull in the Library of Yale College, and he has enriched with it his admirable edition of the Records of Connecticut.

3 See above, pp. 50, 230.

on imported articles were partly specific, and partly *ad valorem*. The excise duties were on the manufacture and sale of liquors, and were specific. Randolph wrote that this law "passed with great difficulty," because the Colonists "have always accounted themselves a free people, and look upon this act to be a clog upon them and their estates."[1]

The feelings of the people were shocked by a proceeding of a different description. On the day of his landing in Boston, the Governor "spoke to the ministers in the library about accommodation as to a Meeting-house, that might so contrive the time, as one house might serve two assemblies." The ministers, and a committee of four other persons from each congregation, met "to consider what answer to give the Governor." They "agreed that they could not with a good conscience consent that their Meeting-houses should be made use of for the Common-Prayer worship"; and two of the ministers, Mather and Willard, were deputed to carry this reply, who "thoroughly discoursed his Excellency about the Meeting-houses, in great plainness, showing that they could not consent." If the demand had been for the use of the building for a mass, or for a carriage-house for Juggernaut, it could scarcely have been to the generality of the people more offensive. For a little time the Governor forbore. But before long, Good Friday drew near, and his episcopal fervors overcame his delicacy. He sent Randolph to demand the keys of the Old South Meeting-house, that it might be opened for a service of his Church on that day. A committee of the congregation waited on him to say that "the land and house were theirs, and that they could not consent to part with it to such use." But Goodman Needham, the sex-

1686. December 21.

December 22.

1687. March 23.

1 Letter of Randolph to the Committee, March 25, in Colonial Papers, &c.

ton, was frightened into opening the doors and ringing the bell; and thenceforward episcopal worship was held there, on Sundays and other holidays of the Church, at hours when the building was not occupied by the regular congregation.[1] The Congregational churches had cause for alarm on yet another account. There was debate at the Council table on the question whether the laws compelling townsmen to pay the salaries of ministers should be allowed to remain in force.[2] Reporting his proceedings to the Lords of the Committee, at the end of the first three months of his government, Andros made special mention of the lodgment he had effected in the Old South Meeting-house. At the same time, he described the Colonies as being poor, partly in consequence of the Indian war. He represented the prospects of his administration as hopeful, though not without obstacles to be apprehended in extending it to Connecticut; and he nominated twelve persons as qualified to fill vacancies which might from time to time occur in the Council.[3]

March 25.

For the profit of the agents of the new government, the administration of justice was made oppressively expensive. An order went out that all public records of "the late governments now annexed under this dominion" should be brought to Boston, whither of course it became necessary that they should be followed by whosoever needed to consult them. At Boston only could conclusive action be had on wills presented for probate; and a journey to that place was accordingly always liable to be required of widows[4] and heirs. Another order made it necessary that all deeds, mortgages, and wills should be

May 25.

June 1.

March 5.

1 Sewall, Diary; comp. Vindication of New England, &c., 12.

2 Council Record, February 23, March 2, and March 4, 1687. Ex-Governor Hinckley of Plymouth, and Ex-Governor Clarke of Rhode Island, were the chief champions of their respective opinions.

3 Colonial Papers, &c.

4 Conn. Rec., III. 423.

registered by Randolph and his Deputies, who should be paid by fees. Excessive fees were demanded;[1] and, in the uncertainty as to what amount of profit might be had from them by the Secretary, Randolph made an advantageous bargain by farming them out to one John West, whom he appointed to be his Deputy,[2] and who was also made Judge of the Inferior Court of the County of Suffolk.[3] It was believed that juries were corruptly constituted; and the adoption of the rule to kiss the Bible, in taking the oath, instead of the Puritan practice of lifting the right hand, discouraged, in frequent instances, the appearance of conscientious witnesses and jurors. The new form was commonly regarded as idolatrous, and, sooner than observe it, many persons, when drawn to serve upon a jury, would expose themselves to be proceeded against by a process for contempt.[4] The laws were not "printed, as was the custom in the former governments,

May 4.

June 9.

1 "Extraordinary oppressive fees taken in all matters by indigent and exacting officers." (Narrative of the Proceedings of Sir Edmund Andros and his Complices, 10. This very important tract, published in February, 1691, was composed and signed by five of Andros's Counsellors; namely, Stoughton, who had been provoked into separating for this once from his friend Dudley, Hinckley, Gedney, Shrimpton, and Wait Winthrop.) — "Of all our oppressors we were chiefly squeezed by a crew of abject persons, fetched from New York, to be the tools of the adversary standing at our right hand. By these were extraordinary and intolerable fees extorted from every one upon all occasions, without any rules but those of their own insatiable avarice and beggary." (Byfield, Account of the Late Revolution in New England, &c., 11.)

2 Council Record for June 4. — In 1680, West, an English merchant residing in New York, was appointed by Andros to be Secretary of that Province, which office he sustained some two or three years. At the end of that time he was despatched by Governor Dongan to Maine, where he had a career with which the reader will presently be acquainted, and which gave him excellent preparation for the accomplishment of Randolph's purposes and his own in Massachusetts, when their friend Andros was placed at the head of affairs there. — By an indenture of lease, dated May 3, 1687, Randolph rented the Secretary's office to West for four years for the consideration of £ 150 a year. (Colonial Papers, &c.) The report in England was that, in the same year, the President (Dudley) and Council farmed out the annual excise for £ 450. (Ibid.)

3 Council Record.

4 Byfield, Account of the Late Revolution, &c., 13.

so that the people were at a great loss to know what was law, and what not."[1]

Two things vital to the objects of the new government were especially exasperating to the citizens. One was, the arbitrary imposition of taxes; the other, the demand for new patents to be taken out for the ownership of land. The reader knows that, from the earliest period of New England, towns had their executive magistracy; they held meetings as often as occasion arose for deliberation on matters of common concern; they taxed themselves, and made other orders, for the maintenance of their roads, their schools, and their poor; and, when a Colony tax was imposed by the General Court, each town, having received notice of the proportion which it was to contribute, proceeded, by its municipal officers, to assess the sum on its inhabitants. There was now no General Court; the Governor in Council imposed taxes; and the first act of his administration required a compulsory assessment of them by Commissioners and Selectmen.

Imposition of taxes.

It was not to be expected that privileges so important and so long enjoyed should be withdrawn without creating dissatisfaction and disturbance. At length the time arrived, that had been specified in the Act for its provisions to go into effect. A warrant came from the Treasurer for each town to choose a Commissioner to act with the Selectmen, in assessing upon its citizens the sum at which the town was rated. Several towns of Massachusetts, including every town but three in Essex County,[2] refused to proceed to the election which was ordered.

July.

August.

[1] Narrative of the Miseries of New England. This anonymous tract (without imprint) is probably the piece referred to in "Revolution in New England Justified" (38) as having been written by Governor Hinckley. — Randolph had been made Secretary over the now enlarged jurisdiction by a new commission, dated September 15, 1686. (See Mass. Hist. Coll., XXVII. 161.)

[2] The compliant Essex towns were Salem, Newbury, and Marblehead. (Council Record for September 23.)

The proceedings of the government against Ipswich, then perhaps the second town in the Colony, attracted particular attention at the time, and will serve for a specimen of the encroachments of the Governor and Council, on the one hand, and of the course and the consequences of resistance to it, on the other. On the reception of "an order from John Usher, Treasurer, for choosing a Commissioner to join with the Selectmen, to assess the inhabitants according to an Act of his Excellency the Governor and Council for laying of rates," John Wise, minister of Ipswich, met several others of the principal inhabitants at the house of John Appleton, who had been a Deputy under the old government. The persons assembled "discoursed and concluded that it was not the town's duty any way to assist that ill way of raising money without a General Assembly." At a town meeting held the next day, they defended this view of the rights of their fellow-citizens. What ensued is best recorded in the words of the following statement, afterwards made under oath by Wise and his fellow-sufferers named therein. The Court before which they were brought for trial was constituted by special commission.[1]

Resistance at Ipswich, and elsewhere.

August 23.

"The town, considering that the said Act did infringe their liberty as free-born English subjects of his Majesty by interfering with the statute laws of the land, by which it was enacted that no taxes should be levied upon the subjects without the consent of an Assembly chosen by the freeholders for assessing of the same, they did therefore vote that they were not willing to choose a Commissioner for such an end without said privilege; and moreover consented not that the Selectmen should proceed to lay any such rate until it was appointed by a General Assembly concurring with the Governor and Council. We, the complainants, with Mr. John Apple-

1 Colonial Papers, &c.

ton and Thomas French, all of Ipswich, were brought to answer for the said vote out of our own county thirty or forty miles, into Suffolk, and in Boston kept in gaol, only for contempt and high misdemeanors as our *mittimus* specifies; and upon demand, denied the privilege of an *habeas corpus*, and from prison overruled to answer at a Court of Oyer and Terminer in Boston aforesaid. Our judges were Mr. Joseph Dudley, of Roxbury in Suffolk in New England; Mr. Stoughton, of Dorchester; John Usher, of Boston, Treasurer; and Edward Randolph. He that officiates as Clerk and Attorney in the case is George Farewell.

October 3.

"The jurors, only twelve men, and most of them (as is said) non-freeholders of any land in the Colony, were some of them strangers and foreigners, gathered up (as we suppose) to serve the present turn. In our defence was pleaded the repeal of the Law of Assessment upon the place;[1] also the Magna Charta of England, and the statute laws that secure the subjects' properties and estates, &c. To which was replied by one of the judges, the rest by silence assenting, that we must not think the laws of England followed us to the ends of the earth, or whither we went. And the same person (John Wise abovesaid testifies) declared in open Council, upon examination of said Wise, 'Mr. Wise, you have no more privileges left you than not to be sold for slaves';[2] and no man in Council

Suppression of the resistance.

1 The ancient law of taxation had been repealed four years before this time (Mass. Rec., V. 414), probably in apprehension of the state of things that had now arrived. And, of course, it had never been a standing law, except as defining the conditions of a *rate*. A new tax-bill had been necessary every year, determining how much was to be raised for that year; whether a rate, or more, or less.

2 Dudley was the person referred to as having used this offensive language. "A vast scene of misery appeared; and they found among the principal instruments of this mischief one whom their own womb had brought forth and their breasts had nourished. . . . . When the President was pleased, out of an active and passive principle, to tell our countrymen, in open Council, that the people in New England

contradicted. By such laws our trial and trouble began and ended. Mr. Dudley, aforesaid, Chief Judge, to close up the debate and trial, trims up a speech that pleased himself (we suppose) more than the people. Among many other remarkable passages to this purpose, he bespeaks the jury's obedience, who (we suppose) were very well pre-inclined, viz. 'I am glad,' says he, 'there be so many worthy gentlemen of the jury so capable to do the King service; and we expect a good verdict from you, seeing the matter hath been so sufficiently proved against the criminals.' Note, the evidence in the case, as to the substance of it, was that we too boldly endeavored to persuade ourselves we were Englishmen, and under privileges; and that we were all six of us aforesaid at the town-meeting of Ipswich aforesaid; and, as the witness supposed, we assented to the aforesaid vote; and also that John Wise made a speech at the same time, and said we had a good God, and a good King, and should do well to stand for our privileges. Jury returns us all six guilty, being all involved in the same information. We were remanded from verdict to prison, and there kept one and twenty days for judgment. Then, with Mr. Dudley's approbation, as Judge Stoughton said, this sentence was passed, viz.: —

"John Wise suspended from the ministerial function;

were all slaves, and that the only difference between them and slaves was their not being bought and sold, and that they must not think the privileges of Englishmen would follow them to the end of the world; — I say, when the people heard this, they looked upon themselves in a manner lost. On the one hand, they saw their enemies invested with a full power in the government; on the other, they saw themselves not only turned out of the public ministry, but under a necessitous fear of being quiet, lest their estates should be seized, and themselves imprisoned. . . . . They saw all this, but perceived no way to escape, till, throwing up their arms to Heaven, they were animated by Divine power to rescue themselves and children from the impending ruin." (Memorial of the Present Deplorable State of New England, 3–5. The writer of this remarkable piece, supposed to have been Sir Henry Ashurst, thought very ill of Dudley. See above, p. 492, note.)

fine fifty pound money; pay cost; a thousand pound bond for the good behavior one year.

"John Appleton not to bear office; fine, fifty pound money; pay cost; a thousand pound bond for the good behavior one year.

"John Andrews not to bear office; fine, thirty pound money; pay cost; five hundred pound bond for the good behavior one year.

"Robert Kinsman not to bear office; fine, twenty pound money; pay cost; five hundred pound bond for the good behavior one year.

"William Goodhue not to bear office; fine, twenty pound money; pay cost; five hundred pound bond for the good behavior one year.

"Thomas French not to bear office, fine fifteen pound money; pay cost; five hundred pound bond for the good behavior one year.

"The total fees of this case upon one single information, demanded by Farewell abovesaid, amount to about a hundred and one pound seventeen shillings, who demanded of us singly about sixteen pound nineteen shillings sixpence, the cost of prosecution. The fines added make up this, viz. two hundred eighty and six pounds seventeen shillings money. . . . . To all which we may add a large account of other fees of messengers, prison-charges, money for bonds and transcript of records, exhausted by those ill men one way and another, to the value of three or four score pounds, besides our expense of time and imprisonment.

"We judge the total charge for one case and trial, under one single information, involving us six men aforesaid in expense of time and moneys of us and our relations for our necessary succor and support, to amount to more, but no less, than four hundred pound money."[1]

So vigorous a course of proceeding as this, was de-

[1] Revolution in New England Justified, &c., 9 *et seq.*

cisive. Unless the country was prepared for violent measures of redress, submission was unavoidable. Men who possessed the confidence of their fellow-citizens, and were fit to take the lead in public movements, could not be expected to persevere in a course of opposition, at once fruitless to the public, and ruinous to themselves. The towns succumbed. The moneys demanded by the Governor and his Council were paid agreeably to assessments made, under their direction, by the Sheriff and three Justices,[1] in cases where the more regular process failed.

The other principal system of oppression that was entered on was still more intolerable. The doctrine of the invalidity of existing private titles to land was to be practically asserted. The Governor gave out that whoever wished to have his title confirmed might do so on an application to him and the payment of a quitrent.[2] The kind of treatment to which a proprietor exposed himself by neglect of this notice may be shown in a single instance. James Russell and others were joint owners of a piece of pasture land in Charlestown. A portion of it, consisting of some

Demand of quitrents.

[1] Council Record for September 23. — Dudley Bradstreet, of Andover, the late Governor's son, was committed for "neglecting and refusing to discharge his duty with the other Commissioners in examining, completing, and returning the rates and assessments of the town." He acknowledged his "great imprudence and folly," and was released on his recognizance for £1,000. (Ibid., for September 30 and October 5.)

[2] The first references to this process that occur in the Council Record are in the entry for August 10. On that day, the Governor in Council confirmed to the Treasurer, Usher, "a house and two pieces of ground in Boston," for an annual rent of two shillings; to Henry Mountford, "a house and ground in Boston" for two shillings and sixpence a year; and to Lieutenant-Colonel Lydgett, "the farm in Charlestown called Ten Hills, containing nine hundred and twenty acres," for ten shillings a year. As yet, it was not judicious to demand high rents. The first object was to familiarize the people to the idea that the King was sole proprietor and landlord.

In September, Andros wrote to the Lords of the Committee that Wharton, Smith, Brinley, and others had submitted to him their claims to landed property, and that Wharton had taken out a new lease. And he prayed the King's permission to extend this method of proceeding. (Colonial Papers, &c.)

hundred and fifty acres, was given by the Governor to Colonel Lydgett, a resident of that town, and one of his favorites. Russell, venturing to remonstrate with warmth, was punished by a Writ of Intrusion, brought to eject him from a farm, of which he was sole proprietor, in the same town; and "to stop prosecution, he was forced to petition for a patent, he having a tenant, who, it was feared, would comply in anything that might have been to his prejudice, and so his land would have been condemned under color of law, and given away, as well as his pasturage was, without law." He owned an island in Casco Bay. A person, who had been sent by the Governor to survey it, showed Russell the plan which had been made, and told him that, if he wanted a patent for it, he must satisfy the Governor with ready money; otherwise Mr. Usher, the Treasurer, was to have it. The price demanded in this instance was only three pence an acre for six hundred and fifty acres. But in the earliest transactions of this nature, the amount of the sum extorted was not the main consideration. The material thing was to get a practical recognition of the principle, and especially to tempt or frighten the leading men into compliance, after which the extortions might proceed without limit.[1]

Seizure of common lands.

Many of the towns had commons, used by the inhabitants for the pasturage of cattle.[2] Often these lands, situate near the centre of settlements, were of great value. By the Governor's orders, portions of the common lands of Lynn, Cambridge, and other towns, were enclosed, and given to some of his friends.[3]

Legal transactions were rendered more and more griev-

[1] "Major Smith can tell them that an estate not worth two hundred pounds had more than fifty pounds demanded for a patent for it." (Revolution Justified, 21.) But this was at a later time.

[2] See above, p. 55.

[3] Revolution Justified, 22.

ously burdensome by excessive fees and bills of costs. West, the Deputy Secretary, had his fortune to make out of the people after reimbursing himself for the large sum for which he farmed his office from Randolph; and he required gratuities from the officers of the courts, which they in turn had to collect from suitors and others, alike by the oppressive impositions which were made lawful, and by such indirections as it was always easy for them to practise.[1] Persons especially refractory were dealt with by having their cases carried out of the county, to be tried by a court at a distance from their homes.[2] Meanwhile the Council, though partly composed of men who were more or less desirous of protecting their fellow-citizens, had become merely a board of registry of the edicts of Andros and his creatures. These better men were "much dissatisfied and discouraged." The Governor "did quickly neglect the great number of the Council, and chiefly adhere unto, and govern by, the advice of a few others, the principal of them strangers to the country, without estates or interests therein to oblige them, persons of known and declared prejudices against this poor people, and that had plainly laid their chiefest designs and hopes to make unreasonable profit of them. . . . . The debates in Council were not so free as ought to have been, but too much overruled, and a great deal of harshness continually expressed against persons and opinions that did not please."[3] From the first, the Governor disregarded the Council's advice. "There was never any fair way of taking and counting the number of the Counsellors consenting and dissenting, that so the majority might be known." Motions for delay, with a view to deliberation, "were ever disacceptable, and entertained with no little displacency."

Extortion of excessive fees.

Degradation of the Council.

1 Narrative of the Proceedings of Sir Edmund Andros, &c., 10.

2 Ibid.

3 Ibid., 4.

"After a little while there were no set times appointed or notice given for the making of laws, that so the members of the Council might attend in a fuller number to be helpful therein. . . . . So that it might be too truly affirmed, that in effect four or five persons, and those not so favorably inclined and disposed as were to be wished for, had the rule over and gave law to a territory, the largest and most considerable of any belonging to the dominion of the crown."[1]

So passed the first year of Sir Edmund Andros's administration in Massachusetts. If the reader asks how it was possible that men of English blood should bear such rule, let him turn back to read of the condition of patriots at the same time in the parent country. If the great English people stood baffled and amazed, and all hope of successful opposition for the present had died out of the hearts of men that had shared the counsels of Russell and Sidney, who may wonder that he does not see poor Massachusetts in an attitude for desperate conflict?

Proceedings in the Eastern territory of the Duke of York. 1677.

By Andros's commission, the "Province of Maine" was comprehended within the limits of his government, with an extension of the territory which the name of *Maine* had hitherto denoted. The grant of American lands, which the present King, when Duke of York, had received from his brother, included a district on the eastern side of Kennebec River, reaching as far as to the river St. Croix. Andros, while Governor of New York for the Duke, sent thither a force to take possession, and erected a small fortifi-

[1] Ibid., 6, 7. — "The Governor, with five or six more, did what they would." (Byfield, Account of the Late Revolution, &c., 16.) — By the commission, seven members made a Council, and a majority exercised its power. "The members of the Council for Rhode Island and New Plymouth," wrote Randolph to Povey (May 21), "have enough of coming to sit in Council eight or ten days at a time at their own charge, and I now expect but very thin appearance for the future." (Hutch. Coll., 55.)

cation on the island of Pemaquid, establishing there also a custom-house and a factory for the Indian trade.[1] When Dongan succeeded Andros at New York, he was not long unmindful of his master's Eastern Province, still called the County of Cornwall. He despatched two commissioners to manage its affairs, the same John Palmer[2] and John West who, as the reader knows, soon after became unfavorably conspicuous in Massachusetts. Already assuming the theory of provincial government on which Andros was presently to proceed in the latter Colony, Palmer and West called upon the inhabitants of Cornwall to buy, at exorbitant prices, new patents for their lands, at the same time appropriating large tracts to themselves, and to English partners of theirs in New York.[3] A vessel from Portsmouth, going with a cargo of wine to a landing-place on the river Penobscot, on the supposition of its being within the French jurisdiction as defined by the treaty of Breda, was seized on her return by Palmer and West for not having paid duties at Pemaquid, — a proceeding regarded in Massachusetts as an offensive interference with her traffic in the Eastern country.[4]

1683. August.

1686.

In the government of Andros, two Counsellors, namely, Edward Tyng, of Falmouth, and Bartholomew Gedney,

1 Belknap, History of New Hampshire, I. 158.

2 John Palmer was a man of capacity and knowledge. After Randolph, though *longo intervallo*, Massachusetts had not a more troublesome enemy than he. He was author of the "Impartial Account," &c., from which I have quoted above. (See p. 514.)

3 "Captain Palmer and Mr. West laid out for themselves large lots; and Mr. Graham, though not there, had a child's portion, I think some eight or ten thousand acres. ..... They placed and displaced at pleasure, and were as arbitrary as the Grand Turk." (Randolph to Povey, June 21, 1688, in Hutch. Coll., 564, 565.)

4 Williamson, History of Maine, I. 581–584; Randolph to Blathwayt, in Hutch. Coll., 547, 548. The cargo was landed near Castine, and Palmer seized the vessel, as having been engaged in smuggling it into the Duke's Province. The French Ambassador in London made a stir about it. (Colonial Papers, &c.) The boundary was disputed. The Duke claimed the territory to the river St. Croix; the French, westward to the Penobscot.

of Salem, who had property in Maine, represented the consolidated Eastern Province. The extortions, which now began to be practised in Massachusetts in respect to the renewal of land-titles, were plied in Maine with still more freedom and severity. From the feeble population of that Province less resistance was to be expected; and the example there presented of easy success familiarized the people of the stronger Colony to the depredations to which they were equally exposed.

Robert Mason[1] and John Hincks represented New Hampshire in the Governor's Council. In that Province, discouraged by the results of its recent turbulence, no opposition to the new order of things appears to have been attempted. Plymouth also yielded with scarcely a struggle, though not without entreaty and complaint. In immediate answer to the summons of the Governor, five of the eight persons belonging to that Colony who had been named as Counsellors came to Boston, and took their seats at the first meeting of the board. They were Thomas Hinckley, lately Governor, and William Bradford, lately Deputy-Governor of the Colony, with Barnaby Lothrop, John Walley, and Nathaniel Clarke.[2] Andros had not the same advantage in Plymouth as in Massachusetts for that levy of a tax which was one of the first acts of his administration; for in Massachusetts, but not in the sister Colony, the general scheme of taxation which he adopted was but the revival of a law of the earlier government. In Plymouth, as in Massachusetts, some opposition was made to his demand for money, but with similar ill-success. The town of Taunton, when sum-

Proceedings in Plymouth.

[1] Mason and Greene, having just come together from England, took their seats in the Council, May 20 of this year. (Council Record.)

[2] Hinckley early presented a petition from his Colony (February, 1687), praying that they might be permitted still to provide by taxation "a comfortable maintenance" for their ministers, and have the avails of the mackerel fishery "for the maintenance of grammar schools." (Mass. Hist. Coll., XXXV. 149.)

moned to assess the inhabitants, replied that they did not feel "free to raise money on the inhabitants without their own assent by an assembly." For transmitting this reply, Shadrach Wilbur, the town-clerk, was "punished with a fine of twenty marks, and three months' imprisonment, and bound to find sureties by recognizance to appear the next court."[1] August 31

The Address of Rhode Island to the King, praying for the continuance of the privileges granted by his brother, but submitting everything to his discretion,[2] had had the effect of immediately causing that Colony to be included in the commission of Andros. He was instructed at the same time to demand the surrender of the charter, which he did accordingly, by a letter to Governor Clarke, on the third day after his arrival at Boston.[3] Rhode Island needed no compulsion; and,

1686. June 29

September 13.

December 22.

Annexation of Rhode Island to the government of Andros.

[1] Council Record; Revolution Justified, 14; Mass. Hist. Coll., XXVII. 190. — After the Revolution, Governor Hinckley of Plymouth wrote a "Narrative of the Grievances and Oppressions of their Majesties' good Subjects in the Colony of New Plymouth in New England, by the Illegal and Arbitrary Actings in the late Government under Sir Edmund Andros." (Revolution Justified, 38.) But I suppose it was never printed. June 28, 1687, in a letter to Blathwayt, he set forth at large, and in exceedingly affecting terms, the lamentable condition of his Colony, representing the gross injustice of applying to Plymouth, in its totally different circumstances, a system of taxation anciently devised by the Massachusetts people for themselves; the exorbitancy of the fees exacted by "that gentleman, who hath farmed the Secretary's office of Mr. Randolph"; the grievance of being obliged to go to Boston for the probate of wills, and access to the Colonial records; and the affliction of an interference with the laws by which the institutions of religion were supported. He signs his letter alone, he says, "thinking it not convenient [that is, knowing it would not be safe] to assemble any company of our people together to write their names." (Mass. Hist. Coll., XXXV. 153–162.) The Grand Jury of Barnstable County ventured to prepare an Address to the King, partly to the same effect; or perhaps Hinckley prepared it for them; I do not know that it was ever sent. (Ibid., 167.) I must say the same of an Address of the Colony to the King in October, 1687, in which Hinckley's arguments addressed to Blathwayt are rehearsed and amplified. (Ibid., 169–185.)

[2] See above, p. 505; Mass. Hist. Coll., XXVII. 162.

[3] R. I. Rec., III. 219; Mass. Hist. Coll., XXVII. 164.

of the seven Counsellors appointed to represent her, — namely, Walter Clarke, John Coggeshall, Richard Arnold, Walter Newberry, John Alborough, John Green, and John Sandford, — the first-named five took their seats immediately on being summoned. Green was in England. Sandford probably was only kept away by accident.[1] Richard Smith was subsequently appointed a Counsellor for the Narragansett country,[2] but it does not appear that he ever acted as such.

December 30.

Rhode Island had never tasted such repose, as now, for a little while, it was to enjoy under the government of Andros. It made no opposition to his measures, and took no interest in determining what from time to time they should be. Rarely does a member of the Council from this Colony appear to have been present at any meeting after the first novelty was over. John Green, in England, was busying himself in the Governor's interest. He "acknowledged his Majesty's grace and favor in sending over his Honor, Sir Edmund Andros," and solicited an enlargement of the Governor's powers in respect to a disposal of the Narragansett lands.[3] To this business Andros attended with his accustomed assiduity, and with his usual devotion to the objects of the court. A memoir which he sent to England embraced a full and clear history

1687. January.

October.

1 Clarke, when he took his seat in the Council, told Andros that he had the charter of his Colony, and was ready to deliver it (see above, p. 518). He had received it when he became Governor (R. I. Rec., III. 187, 188), and it was still in his hands in February, 1691. (Ibid., 261.) There is a story that he had now given it in charge to his brother, to be hidden in some place known only to himself and to the last Secretary (Foster MSS. in the Collection of the R. I. Hist. Soc.), and that there, destined to be put to good use in other times, it remained undiscovered, when, towards the close of the year, the Governor's interest in it was awakened. At Hartford, he had failed, as is presently to be related, in possessing himself of the charter of Connecticut. Returning to Boston in November, he took Newport in his way, and asked for the charter. But it was not forthcoming, and there is no evidence of his having urged the demand.

2 See below, p. 604.

3 R. I. Rec., III. 221, 222.

of claims, public and private, to the Narragansett country. He condemned the pretension of the Atherton Company, as resting upon extortionate dealings with the Indians; and he upheld the alleged cession, obtained by Green from the Indians, as vesting in the King a good title to the whole of the territory; which title, he maintained, had never since been alienated, notwithstanding the grants in the charters of the two Colonies between which the country lay.[1]

Connecticut, as well as Rhode Island, was prospectively included in Andros's government, though it was not assumed in his instructions that as yet Connecticut had made submission.[2] On the day that he summoned Rhode-Islanders to his Council he sent an express messenger to Hartford with a letter to Governor Treat. "I am," he wrote, "commanded and authorized by his Majesty, at my arrival in these parts, to receive in his name the surrender of your charter, if tendered by you, and to take you into my present care and charge, as other parts of the government, assuring his Majesty's good subjects of his countenance and protection in all things relating to his service and their welfare."[3] By the same conveyance a letter was despatched from Randolph, informing the dilatory Colony that yet another writ of *quo warranto* had been issued, and explaining, in discourteous terms, that it would be prudent to conciliate the royal favor by a prompt compliance with Andros's demand.[4]

1686. December 22.

Pretensions of Andros in respect to Connecticut.

Governor Treat, who, meanwhile, had hastened to congratulate Sir Edmund on his arrival,[5] now convoked the General Court, which, rather than take action of its own on a matter of such deli-

1687. January 7.

January 26.

1 Colonial Papers, &c.
2 R. I. Rec., III. 218.
3 Conn. Rec., III. 376; Mass. Hist. Coll., XXVII. 165.
4 Conn. Rec., III. 375.
5 Colonial Papers, &c.

cacy, passed a vote to "leave it with the Governor and Council to take care to do what was requisite to be done ..... in reference to affairs in England and the last *quo warranto*."[1] Under the instructions of the Court, however, an answer was prepared to the message of Andros, and a letter to Lord Sunderland, Secretary of State.

Reluctance of Connecticut.

In the latter paper, the Court recited the steps which they had taken in respect to the legal proceedings in England against their charter, and concluded with language which the government there saw fit to interpret as a voluntary surrender. "We are his Majesty's loyal subjects," they wrote, "and we are heartily desirous that we may continue in the same station that we are in, if it may consist with his princely wisdom to continue us so. But, if his Majesty's royal purposes be otherwise to dispose of us, we shall, as in duty bound, submit to his royal commands; and if it be to conjoin us with the other Colonies and Provinces under Sir Edmund Andros, his Majesty's present Governor, it will be more pleasing than to be joined with any other Province."[2]

In reply to the letter to himself, in which Treat had said for his Colony, "We are well content to remain as we are, and to make no alteration in our present standing,"[3] Andros wrote to him, in the name of his Council, remonstrating against any further delay. It "hazarded," he said, "the advantages that might be to the Colony," and made him "incapable to serve it as he would, but occasioned the contrary."[4] The correspondence continued through the spring and into the summer, with iterations of the same

February 25.

February 28.

1 Conn. Rec., III. 226.

2 Ibid., 377.

3 Colonial Papers, &c. — Treat was at this time conducting a correspondence of his own with Andros. Under the same date as that of his public letter, he wrote: "The present seeming backwardness of our Court's compliance, though it may seem strange, yet I hope, through your great wisdom and clemency, you will give favorable constructions thereof." (Ibid.)

4 Conn. Rec., III. 379.

topics.[1] It was conducted in a civil tone on both sides, but the passive position of Connecticut was not shaken. The General Court met four times, but transacted very little business, or, at all events, put very little on their records, in relation to the subject which must have weighed most heavily on their minds. "They did not see sufficient reason to vary from the answer they gave to Sir Edmund Andros, to a motion of a surrender."[2] They "left it with the honored Governor or Deputy-Governor, and so many of the Assistants as might make up seven with the Governor or Deputy-Governor, to be a Council to act and transact all such emergent occasions and affairs as should fall in, in the intervals of the General Court";[3] and they held their annual election of Colony officers as usual. Mr. Whiting, their agent in England, was doing his best for their service. It was with little hope of effecting anything, as he constantly informed them;[4] but successive accidents favored his perseverance, and the legal proceedings against the Colony were never brought to an issue.

March 30.

May 12.

June 11.
June 14.
August 9.
September 21.

Meanwhile every exertion was made by Andros and his instruments to influence the leading men of Connecticut to a voluntary surrender of the charter. Palmer and Graham[5] visited some of the principal towns. From New Haven they wrote to Andros that at Fairfield they had "fully discoursed Major Gold, then Deputy, and several other people, concerning a surrender unto his Majesty, and the great advantages that would accrue to them thereby."[6] They had had similar conferences at Milford and at New Haven, and "found all united in one mind that it was

Intrigues in Connecticut.

May 5.

1 Conn. Rec., III. 380 – 383.
2 Ibid., 227.
3 Ibid., 232.
4 Ibid., 237, 384 – 386.
5 See below, p. 554, note 1.
6 Nathan Gold, of Fairfield, had for many years been an important man in the Colony.

their only interest to be joined to York, and they did expect that his Majesty would accordingly dispose of them that way; but they were so foolishly fond of their charter, that they unanimously agreed to be passive and not active in the case; that is, they would never surrender, but, if it were his Majesty's pleasure to take their charter from them, they would submit thereto. The Governor," they continued, "gives your Excellency his service, and proves, with the rest of the Council here, very zealous for his Majesty's service, and promoting your Excellency's proposals. The Council have already, without the knowledge of the Deputy [Deputy-Governor Bishop], wrote to the Secretary of State concerning the whole matter, and have surrendered their interest unto his Majesty's pleasure, and informed that the obstruction of the rest remains with the Deputy, which they cannot compose; so that, on the whole, we believe that his Majesty will be constrained to proceed to a judgment against them; so that it will be your Excellency's interest to make court at home for accomplishing the matter, their agent having, in his last, informed them that it was the discourse at Whitehall, that all to the westward of Connecticut will be joined to New York. The rest is not worth desiring. We are afraid their agent, for his own private gains, is a great cause of their stubbornness."[1]

[1] Colonial Papers, &c. — Treat wrote to Dongan (May 12) his own account of these conferences. He said that, in the presence of Palmer and Graham, he had communicated to his General Court a letter received by him from Dongan. "We do not see it in our way at present," he continued, "to be active in any change; but as the matter is in his Majesty's hands, so we leave it there." If a new disposition was to be made, "we do earnestly request," he says, "that our whole Colony or Province may together be annexed to such government as his Majesty shall see fit; for a dividing of it will be very prejudicial." (Ibid.) — Randolph anticipated with confidence the catastrophe that was soon to come. As early as August 9, he petitioned the King for an appointment as Secretary of all New England, to correspond to Andros's commission as Governor of all that country. He pleaded his twelve years "management of his Majesty's public affairs in New England," and, referring to his orders to reduce Rhode Island and Connecticut,

It is probable that this information concerning the supineness and want of concert in Connecticut, and further information of the same sort which may have followed, determined Andros, after due reflection, to settle the pending question by a *stroke of state*. The time seemed favorable to such a movement; for, by the successes of the summer, opposition in Massachusetts was for the present silenced, if not overcome. The collection of taxes levied by a despotic authority had been enforced, and the system of making all proprietors pay rent to the King for their lands and houses, as his tenants, had been hopefully inaugurated. Taking advantage of this repose, the Governor obtained the advice of his Council to proceed to Connecticut, in order to assume the government there, "with such of the Council, or other

October 22.

said, "which your petitioner has so effectually performed that the whole plantation of New England, having for nigh sixty years been divided into many petty governments, is now united, and a large and advantageous dominion added thereby to your Majesty's imperial crown." (Ibid.) Dongan communicated his views to Lord Sunderland in a letter of May 27. Palmer and Graham had told him that the Assembly of Connecticut had been prevailed on by them to write him a letter, "wherein," he says, "they signified their submission, and requested of me to get them firmly annexed to this government, and the same ready to be signed, having the unanimous approbation of the whole. But before that could be done, some of their clergy came among them and quite overthrew all they had done, telling them that, to whatever government they should be joined, it would be a grievous affliction; which, however, if they received as they ought, might be sanctified to them and turn to their advantage, which would be by being nowise active themselves; for, should they, they might then justly expect utter desolation. With these and such like contrary expressions, the Assembly was wrought upon to let sending that letter alone. . . . . I am, my Lord, informed, by the by, from some of their Council, that they will not submit till their charter be made void." (Ibid.) Not succeeding as he desired with the Governor of Connecticut, Dongan (October 4) addressed himself directly to the General Court. "As for your Governor," he said, "he is an easy, good-natured gentleman, and I believe has been imposed upon; but what interest has governed Mr. Allyn, he knows best. [Nobody ever supposed Allyn to be imposed upon.] But if he considers the good of the inhabitants, and the situation of both governments, he cannot but be of another opinion; for if that [Connecticut] should happen not to be joined to this [New York], we must prove very uneasy to you." (Conn. Rec., III. 387.)

persons, guards, and attendance, as he should think fit."[1] On the same day, he wrote to Governor Treat, that, "pursuant to effectual orders and commands from his Majesty," he was presently to set out on that journey.[2]

He executed his purpose so promptly, that he must have reached Hartford almost as soon as his letter. He was attended from Boston by "a company of gentlemen and grenadiers, to the number of sixty or upwards."[3]

Visit of Andros to Connecticut. October 31.

Some hasty arrangements were made for his reception. At Wethersfield, where he crossed a ferry, he was met by a troop of horse, who escorted him to Hartford. There he found "the train-bands of divers towns . . . . . united to pay him their respects." According to a friendly report, "he was greeted and caressed by the Governor and Assistants," and there was "some treaty between his Excellency and them that evening."[4]

Tradition has preserved the memory of a striking incident of that evening's conference. It relates that, while a discussion was proceeding in the presence of a numerous company, the charter of the Colony was brought in and laid upon a table. Suddenly the lights were extinguished, and when they were rekindled, the charter had disappeared. Captain Wadsworth had taken it away, and secreted it in the hollow trunk of a tree which stood hard by, in the grounds of Samuel Wyllys, a magistrate.[5]

Concealment of the Colonial Charter.

[1] Council Records.

[2] Conn. Rec., III. 387.

[3] Sewall's Diary.

[4] Bulkeley, Will and Doom.

[5] The tree, thenceforward called The Charter Oak, remained uninjured for nearly a hundred and seventy years longer, at the end of which time it was prostrated in a gale of wind, August 20, 1856.

The story is told by Dr. Trumbull. (History of Connecticut, I. 371.) In reply to my application to Mr. J. Hammond Trumbull for information concerning the authority for it, that gentleman informs me that the historian may probably have had it from George Wyllys, Secretary of the Colony, with whom, while employed upon his book, he was in constant communication. George Wyllys was son of Hezekiah, also Colonial Secretary, who

No writing of the period alludes to this remarkable occurrence. What is recorded, on good authority, is, that, on the morning after Sir Edmund's arrival at Hartford,[1] he was "waited on and conducted by the Governor, Deputy-Governor, Assistants,

Annexation of Connecticut. November 1.

was son of Samuel, an Assistant before and after Andros's assumption of the government of Connecticut. The Charter Oak stood on the Wyllys homestead. Both from their official station, and from the scene of the alleged transaction, the Wyllyses should have been well informed about the story.

It derives some confirmation from a proceeding of the General Court many years afterwards. In May, 1715, the Court granted "the sum of twenty shillings" to Captain Joseph Wadsworth of Hartford, "upon consideration of faithful and good service, ... especially in securing the duplicate charter, in a very troublesome season, when our constitution was struck at, and in safely keeping and preserving the same ever since unto this day." (MS. Conn. Rec.)

On the other hand, it is observable that neither the Council Records, nor Bulkeley, in the "Will and Doom," nor Andros, in his report (November 28) to the Lords of the Committee (Colonial Papers, &c.) of the proceedings at this time, nor Randolph, in any one of his writings that remain, has any reference to the transaction. It is known, however, that there were duplicates of the charter at Hartford; and it is supposable that, while one of them was disposed of as alleged, Andros, having obtained possession of the other, did not know that anything was missing.

According to Dr. Stiles (MS. Itinerary, in the Library of Yale College, II. 105), Governor Roger Wolcott, when eighty-seven years old, gave him, in 1764, another version of the story. Wolcott told him that "Nathaniel Stanley .... took one of the Connecticut charters, and Mr. Talcot, the late Governor Talcot's father, took the other [the duplicate] from Sir Edmund Andros, in Hartford meet ng-house, — the lamps blown out."

The last that is known of the custody of the charter before Andros's visit is learned from the following entry in the Colony Records, under the date of the next preceding June 15. "Sundry of the Court desiring that the patent or charter might be brought into the Court, the Secretary sent for it, and informed the Governor and Court that he had the charter, and showed it to the Court; and the Governor bid him put it into the box again, and lay it on the table, and leave the key in the box, which he did forthwith." (Conn. Rec., III. 238.)

One of the duplicates is now in the office of the Secretary of the State of Connecticut. A part of the other is in the Hartford Historical Society's collection, having been obtained from a tailor, to whom it had been given or sold, after having been for perhaps three generations in the possession of the Wyllys family.

[1] He held a Council on this day. The Counsellors who were present, having accompanied him from Boston, were Stoughton, Mason, Fitz John Winthrop, Usher, Pynchon, Gedney, and Edward Tyng. First, Treat and Allyn alone were summoned to attend upon Sir Edmund. Then the Governor and Magistrates were sent for, and desired to "bring with them

and Deputies, to the Court chamber, and by the Governor himself conducted to the Governor's seat; and being there seated, (the late Governor, Assistants, and Deputies being present, and the chamber thronged as full of people as it was capable of,) his Excellency declared that his Majesty had, according to their desire, given him a commission to come and take on him the government of Connecticut, and caused his commission to be publicly read. That being done, his Excellency showed that it was his Majesty's pleasure to make the late Governor and Captain John Allyn members of his Council, and called upon them to take their oaths, which they did forthwith; and all this in that great and public assembly, *nemine contradicente*, only one man said that they first desired that they might continue as they were. . . . . The Secretary, who was well acquainted with all the transactions of the General Court, and very well understood their meaning and intent in all, delivered their common seal to Sir Edmund Andros."[1]

such persons as they should think fit to hear his Majesty's commands." Accordingly, "before noon attending on his Excellency at his lodging, they all together went thence to the public Court-house, where his Excellency publicly signified the occasion of his coming, and commanded his Majesty's letters patent for the government of New England, and his Majesty's orders to his Excellency for annexing the said Colony to his dominion of New England, and to take the same under his government, to be publicly read, which was done accordingly." After which the Governor declared that the charter government "and General Court of that Colony were dissolved, and the said Colony annexed to the Dominion of New England accordingly." Treat and Allyn were then sworn in as members of the Council (Council Records), agreeably to orders from England. (Journals of the Privy Council, for June 18.)

[1] Bulkeley in "Will and Doom."— Gershom Bulkeley was only one of the compilers of this tract; he shared its authorship with Edward Palmes and William Rosewell. All three were justices under Andros. Palmes married a daughter of the second John Winthrop. Bulkeley was a son of the Reverend Peter Bulkeley, of Concord, Massachusetts, and a brother of Peter Bulkeley, the messenger of Massachusetts to England. In early manhood, he was the minister of New London, and afterwards of Wethersfield. When about forty years of age, he withdrew from the sacred profession, and took to the practice of medicine. He was always a discontented and troublesome person, and what he has written respecting these times is to be read with large allowance for his being a bigoted

The more brief public record of "A General Court, held . . . . . by order of the Governor," merely contains a list of the Magistrates and Deputies present, with the words: —

"His Excellency Sir Edmund Andros, Knight, Captain-General and Governor of his Majesty's Territory and Dominion in New England, by order from his Majesty James the Second, King of England, Scotland, and Ireland, the 31st of October, 1687, took into his hands the government of this Colony of Connecticut, it being by his Majesty annexed to the Massachusetts and other Colonies under his Excellency's government.

FINIS."[1]

The separate history of Connecticut was closed for the present. Connecticut was the last of the New England Colonies to fall. New England was consolidated under one despotism.

partisan of Andros. He was never a freeman of Connecticut. The "Will and Doom" was not printed. The original manuscript is in the State Paper Office at London, and the Connecticut Historical Society has a copy. Dr. O'Callaghan (in Documents, &c., III. 849 *et seq.*; comp. 72; IV. 1062) and Mr. J. Hammond Trumbull (Conn. Rec., III. 389 – 391, 455 – 460) have printed copious extracts from it.

1 Conn. Rec., III. 248. — This dramatic *finale* of the history of Connecticut has been commonly ascribed to Andros, perhaps on the authority of a manuscript of Governor Wolcott. (Holmes, Annals, I. 421.) But, without question, the whole record of the last General Court, including the closing word, is in the handwriting of Secretary Allyn. — In Allyn's mercurial character there was a vein of sentiment; and one may imagine that, political manager as he had been, it was not without tears that he set down those parting words.

CHAPTER XIV.

Sir Edmund remained in Connecticut long enough to arrange its government for the future. From Hartford he proceeded to New Haven, Fairfield, and New London, establishing courts of judicature and appointing sheriffs in each of the counties, commissioning all persons who had filled the office of Assistant to be Justices of the Peace,[1] and instituting military officers in each town, and revenue officers in the several seaports.[2] As he traversed the Colony, making these arrangements, he is said to have been "everywhere cheerfully and gratefully received."[3]

The Governor's return to Massachusetts. 1687. November 16. November 19.

In Massachusetts no such welcome awaited him. At the first Council held after his return,[4] a complaint was made against Mr. Morton, min-

1 He was at New Haven, November 7, on which day he signed there Treat's commission as Colonel of the militia of New Haven County. (Conn. Rec., III. 392.)

2 Council Records.

3 Bulkeley, Will and Doom, in Conn. Rec., III. 390.

4 At this session of the Council, leave was given to the "French congregation" to occupy the Latin School-house in Boston for their Sunday worship. This congregation consisted of a few Huguenot families who had come over from France after the revocation of the Edict of Nantes, which took place in October, 1685. (See above, p. 323.) They arrived, I suppose, in the following summer; for the record of Dudley's Council for July 12, 1686, records their being permitted to reside in Massachusetts on taking the oath of allegiance. In the next month (August 5) the Council issued a brief for a contribution for their benefit in the churches. (Council Records; comp. Mass. Hist. Coll., VI. 265.) There were fifteen families, numbering "in all, men, women, and children, more than fourscore souls. . . . . By their long passage at sea, their doctor and twelve men were dead." (Council Records.) All, or most of them, soon left Boston together to establish themselves on part of a tract of land, which, in 1682, had been granted by the General Court to Dudley and Stoughton (Mass. Rec., V. 343, comp. 488), and which afterwards

ister of Charlestown, for preaching a sermon "containing several seditious expressions." Morton was bound over to take his trial at the first session of the Superior Court, and to keep the peace meanwhile.[1]

became the town of Oxford. With reference, I suppose, to the establishment of the Huguenot immigrants there, the tract was confirmed to Dudley and his partners, December 19, 1687. (Council Records.) According to the town records the proprietors brought thither "over thirty French families." In 1696, the settlement was broken up by the Indians, and the fugitives came down to Boston, where their descendants continued to constitute a separate religious society for about fifty years. (Mass. Hist. Coll., III. 29, 30; XXII. 1–83.)

[1] Council Records. Charles Morton, born in England in 1626, became a fellow in the University of Oxford, and a clergyman of the Established Church. He turned Independent, and under the Act of Uniformity was expelled from his living. Having a high reputation for scholarship, he set up a school at Newington Green, near London. Here Daniel Defoe, who commends him in high terms, was one of his pupils. (Wilson, Memoirs of the Life and Times of Daniel Defoe, &c., I. 19–26.) After the death of Rogers, President of Harvard College, the eyes of many friends of that institution were turned to Morton as his successor. It was, no doubt, with the expectation of receiving that appointment, that he came out to New England in the summer of 1686. (Letter of Morton to Increase Mather, of October 10, 1685, in the Prince Collection of MSS. belonging to the Mass. Hist. Soc., p. 59.) Dudley was now in power; other arrangements had been made for the College; and Morton accepted the charge of the Charlestown church. (Randolph to the Lords of the Committee, in Hutch. Coll., 545; Randolph to the Archbishop of Canterbury, Ibid., 551.) On that occasion he was *installed*, or, in his own phrase, "inducted," instead of being *ordained*, — a step which was regarded by strict Congregationalists with dislike, as intimating that the clerical character was indefeasible, and still adhered to him after he had left his former congregation. (Judge Sewall's Diary, November 5, 1686; see above, Vol. II. p. 39.)

The complaint against Morton, "sworn to by Mr. Thomas Clark in Council," was that "about the end of September" (Council Records) he had told his Charlestown congregation "that persecution . . . . . was come amongst us and settled amongst us; but he bid them have courage; he hoped it would not last long. Then he told them, that, although the rulers of Jerusalem were unjustly set aside, they should not be cast down at it, for it would not last long." (Colonial Papers, &c.)

Though Morton's alleged offence was committed in Middlesex County, he was taken before a court held in Suffolk to be tried; Farwell, the prosecuting officer, expressing the opinion that "there were not honest men enough in Middlesex to make a jury to serve their turn." (Revolution Justified, 22.) It was also affirmed that the jury was packed, one of the panel, an enemy to the accused, being brought from a place two hundred miles distant, and another not being a householder. Morton was acquitted, but the process had been expensive and vexatious to him.

Reception of the royal Declaration of Indulgence.

At Boston, Andros appears to have received the King's Declaration of Indulgence, brought thither during his absence. He thereupon issued orders for a general thanksgiving throughout his government, "for his Majesty's health, and his many royal favors bestowed on his subjects here."[1] In New England, as in the parent country, the sanguine portion of dissenters from the Church received the Declaration with joy; the sagacious, with distrust and apprehension.[2]

Legal consolidation of New England. December 29.

The consolidation of the government of New England was speedily completed by an Act of Council, which extended to Connecticut the obligations of all the laws that had been passed in the time between the arrival of Andros and the annexation of that Province to the "Dominion of New England."[3]

[1] Council Records; Letters of Andros and West to Allyn, of November 23, in Conn. Rec., III. 392, 393. — Winter was now coming, and the towns had been deprived of powers heretofore exercised by them, one of which was that of taking care of their poor. At the next Council (November 30) this duty was assigned to the Justices for the several counties. — A post was now contemplated, to pass between Boston and the furthest settlements of distant Connecticut. "I have spoken to Perry of his going between this and Hartford once a month this winter, if not further as far as Fairfield and Stamford, as I design oftener in the spring." (Letter of Andros to Allyn, November 23, in Conn. Rec., III. 393.) "I believe Perry will undertake once a month to pass from Fairfield to Boston in the winter, and once in three weeks in the summer, or oftener if your Excellency desire it, and the charge of it upon the whole will be no great matter. Should it be put upon letters at first, I believe it will not answer the charge to satisfy the post. But if it were tried one year by a salary, the better guess may be given for a future settlement of it." (Allyn to Andros, December 5, in Conn. Rec., 398.)

[2] Increase Mather was much pleased with it, and got his church (Robbins, History of the Second Church, 50) and many of the ministers (Parentator, 102) to join him in an address of thanks to the King. Thomas Danforth, as usual, saw further. "I do more dread the consequences thereof," he wrote to Mather (November 7), "than the execution of those penal laws, the only wall against Popery." (Hutch. Hist., I. 320.)

[3] Conn. Rec., III. 402–405. — On receiving a copy of it before it was enacted, the canny Allyn wrote to Andros: "As to the several acts or laws mentioned therein, I have nothing to object against what is done, and believe what is ordered will readily be attended." (Allyn to Andros, December 5, in Conn. Rec., III. 397.) But a sober second-thought, or a wholesome fear of being found out, caused him to erase this clause in his letter.

The Governor might now easily persuade himself that the largest and the hardest part of his and his master's work was done, and that he needed to have little anxiety as to his power to effect what remained.[1] Accordingly the legislation which was to be destructive of the ancient liberties of New England was henceforward prosecuted with vigor. Internal trade was obstructed by a law which prohibited the business of travelling merchants or pedlers, and confined every dealer's sales to his own town. "An Act for Additional Duties of Imposts and Excise, for the better collecting and securing his Majesty's Revenue,"[2] laid heavy burdens upon commerce, and extorted an excessive tax from the consumer.[3] The privi-

Activity in oppressive legislation. 1688. January.

February 15.

The Council at which it was determined to extend the laws of the "Dominion" to Connecticut, was the last that is recorded. In the next preceding week (December 23), Robert Orchard (see above, pp. 343, 378, 390) was finally disposed of, by a reference of his claim to the judicial courts.

"The Lady Andros departed this life, to the great grief and sorrow of his Excellency and all that knew her." (West to Allyn, in Conn. Rec., III. 437.) The day was January 22. (Randolph to Povey, in Hutch. Coll., 557.) February 10, she was buried with much state by torchlight from "the South Meeting-house," the hearse drawn by six horses, the church illuminated, and a military guard attending. (Judge Sewall's Diary.)

1 Within a fortnight after his return from Connecticut, he wrote to the Lords of the Committee (November 28): "I have now effected a palisado fort of four bastions on Fort Hill, at the south end of this town, commanding the harbor, in which also a house is erected for lodging the garrison, much wanted and necessary for his Majesty's service." He soon had opportunity to judge of the strength of the work and the convenience of the house. I suppose he had now two companies of regulars, for, after his deposition, he was allowed pay for that force down to the beginning of the preceding autumn. (See below, p. 568, note 2.)

2 An observable indication of the feeling of the government towards Massachusetts occurs in this act. It gave to Massachusetts only two ports of entry, viz. Boston and Salem; while no fewer than six were allowed to Connecticut.

3 Andros had sent home an estimate of the expenses of his government (which amounted to £ 4,520 17*s.* 11*d.*), showing that existing receipts from the customs, excise, and direct tax left a deficit of nearly seven hundred pounds. (Chalmers, Annals, 465.) He was accordingly authorized, in a letter from the King, of November 11, 1687, to impose such "rates and taxes" as he and his Council should think proper, and to collect them from "the several counties." (Journals of the Privy Council; comp. Revolution in

leges of the towns were a main obstacle in the way of the usurpations which were in train. Town-meetings for the choice of officers were by ancient practice held in the spring. Before the day for these elections came round the second time under Andros's government, an

March 17.

Act was passed which struck at the root of the municipal franchises. It forbade more than one town-meeting to be held in a year, "upon any pretence or color whatsoever." At that meeting were to be chosen Selectmen, Constables, and a Commissioner, for the year. The Commissioner was to assess upon the inhabitants the tax laid by the Governor in Council upon the town. The Selectmen were to be overseers of the poor, of bridges, of meeting-houses, and of schools, and keepers of the town's property of every kind; and they might make assessments for these objects, but not without the approbation of two Justices of the Peace. If a Selectman or Commissioner, chosen by a town, refused to serve, two Justices of the Peace might appoint another inhabitant to fill the vacancy. The refusal of a Constable to serve was to be punished by a fine of five pounds.[1] It may be presumed that the government, had it lasted, would soon have been centralized still more, by giving to the Justices, creatures of the Governor, the power to appoint local officers for what had been towns, without waiting for the formality of a municipal election. "An

March 24.

Act for settling the Militia" brought the military force of the country into regular subordination to the imported Commander-in-Chief.[2] The Governor and Council resolved that all local laws should cease to have force, and that the people of the jurisdiction were "not to be guided by any laws or orders but

New England Justified, &c., 13.) The bill above mentioned was the result.

1 "Which [Act]," writes West to Allyn, "as it is an act of grace designed for the benefit and ease of the people, hope will be so understood and fully answer that end." (Conn. Rec., III. 440.)

2 Ibid., 427–436.

such as were made and published by his Excellency and Council, or the laws of England where they had not provided."[1] As towns could no longer hold meetings "to make complaints of grievances," so, before long, "whereas by constant usage any person might remove out of the country at his pleasure, a law was made that no man should do so without the Governor's leave"; — a measure reasonably regarded by the people as an interdiction of attempts to seek redress in England.[2]

When these strong measures had taken partial effect, and it seemed that opposition, if not crushed, was intimidated and disabled, the business of vacating the ancient titles to land was entered upon with new vigor. Several instances of this sort of proceeding are on record, attested by the oaths of the parties concerned. Under this sanction, Joseph Lynde, of Charlestown, a man of character and of substance, told his story as follows: —

"In the year 1687, Sir Edmund Andros .... did inquire of him, the said Lynde, what title he had to his lands; who showed him many deeds for land that he the said Lynde possessed, and particularly for land that the said Lynde was certainly informed would quickly be given away from him if he did not use means to obtain a patent for it. The deed being considered by Sir Edmund Andros, he said it was worded well, and recorded according to New-England custom, or words to the same purpose. He further inquired how the title was derived. He, the said Lynde, told him, that

Issue of writs of intrusion.

1 Conn. Rec., III. 441.

2 Revolution in New England Justified, &c., 12; Vindication of New England, 11; comp. Sixth Collection of Papers relating to the Present Juncture of Affairs in England, 30. — The title of this Act was, "An Act requiring all Masters of Ships or Vessels to give Security." I do not know the date of its enactment; but, though "moved" when "Mr. Mather was known to be intending for New England," which was in the spring of 1688, it was opposed in Council in Boston, and was at last "carried as far as New York, and there an opportunity found for the obtaining of it." (Narrative of the Proceedings, &c., 8.) But Andros held no Council in New York till after midsummer of 1688.

he that he bought it of had it of his father-in-law in marriage with his wife; and his said father, from Charlestown; and the said town, from the General-Court grant of the Massachusetts Bay, and also by purchase from the natives. And he said, my title was nothing worth if that were all. At another time, after showing him an Indian deed for land, he said that their hand was no more worth than a scratch with a bear's paw, undervaluing all my titles, though every way legal under our former Charter government. I then petitioned for a patent for my whole estate; but Mr. West, Deputy-Secretary, told me, I must have so many patents as there were counties that I had parcels of land in, if not towns. Finding the thing so chargeable and difficult, I delayed; upon which I had a writ of intrusion served upon me, in the beginning of the summer, 1688. . . . . I gave Mr. Graham, Attorney-General, three pounds in money, promising that, if he would let the action fall, I would pay court charges, and give him ten pound when I had a patent completed for that small parcel of land that said writ was served upon me for. . . . . About the same time Mr. Graham, Attorney-General, asked said Lynde what he would do about the rest of his land, telling him, the said Lynde, that he would meet with the like trouble about all the rest of his lands that he possessed, and, were it not for the Governor's going to New York at this time, there would be a writ of intrusion against every man in the Colony of any considerable estate, or as many as a cart could hold; and, for the poorer sort of people, said Sir Edmund Andros would take other measures, or words to the same purpose."[1]

[1] Revolution Justified, &c., 20–22; Frothingham, History of Charlestown, 219. — Randolph had a sentiment for the picturesque. Among his other ambitions was that of appropriating to himself the peninsula of Nahant, now the summer resort of luxurious Bostonians. (Lewis, History of Lynn, 171–175.) The Selectmen of Lynn had a sharp struggle for this promontory, describing it as "the only secure place for the grazing of some thousands of their

That this system of extortion might not fail through any hope of indulgence on the part of the government, writs of intrusion were served upon some of the most considerable of those persons who did not come forward to buy new patents for their lands. Samuel Shrimpton, a man of large property, was a Counsellor by the King's appointment. If he could not be spared, less important men could scarcely hope for favor. The rent of Deer Island, in Boston harbor, had from an early time been appropriated to the maintenance of a school. Shrimpton hired the island of the town, and kept it by a tenant. Sherlock, the sheriff, came thither and seized the tenant, "and turned him and his family afloat on the water when it was a snowy day, ... and put two men, whom he brought with him, into possession of the said island, as he said on behalf of King James the Second."[1] Two of the Selectmen made oath to a conversation which on that occasion occurred between themselves and Graham, the Governor's Attorney. "We, the deponents, told him we would answer in behalf of the town. The

sheep, and without which their inhabitants could not provide for their families." (Revolution Justified, &c., 23.)

[1] Ibid., 22, 23. — Sherlock, "a stranger in the country, and having no estate there," (Ibid., 9,) was appointed Sheriff (April 6, 1687) shortly after Andros's arrival. (Council Records.) November 4, 1687, Samuel Shrimpton, William Brown, Simon Lynde, and Richard Smith, "on the recommendation of Sir Edmund Andros," were "admitted of the Council in New England" (Journals of the Privy Council); and Shrimpton, Brown, and Smith took the oath and their seats as Counsellors in March, 1688. (Conn. Rec., III. 441, 442.) Jeremiah Dummer (Defence of the New England Charters, 50) says that Shrimpton "was courted to receive new patents *gratis*, that others might be drawn in by the authority of his example; but, when he was apprised of their design, he chose rather to have his lands seized (and they were seized) than by such a base compliance betray his countrymen." This explains the record of the Council for December 19, 1687, at which time Dudley and others had the property of certain lands and houses confirmed to them, without any condition of quitrent. So resolute a man as Judge Samuel Sewall yielded to the seeming necessity. He wrote to Increase Mather, July 24: "The generality of people are very averse from complying with anything that may alter the tenure of their lands, and look upon me very sorrowfully that I have given way." (Mather MSS., VII. 28.)

said Graham replied, there was no town of Boston, nor was there any town in the country. We made answer, we were a town, and owned so to be by Sir Edmund Andros, Governor, in the warrant sent us for making a rate. Then the said Graham told us we might stand the trial, if we would; but bid us have a care what we did, saying it might cost us all we were worth, and something else too, for aught he knew." [1]

The people of Plymouth Colony were much incensed by ill-treatment offered to Mr. Wiswall, minister of Duxbury. Clark's Island, in Plymouth harbor, had been appropriated to the support of the poor of that town. Andros gave it to the Counsellor Nathaniel Clark, one of his creatures. Mr. Wiswall interested himself in a collection of some money, by voluntary contribution, to defend at law the right of the town. This was construed as an offence, and Mr. Wiswall was summoned to Boston to answer for it. "He was then lame in both feet with the gout, fitter for a bed than a journey; therefore wrote to the Governor, praying that he might be excused until he should be able to travel, and engaged that then he would attend any court." But the Governor was inexorable, and the minister had to go to Boston. There, the Council having kept him standing in their presence "till the anguish of his feet and shoulders had almost overcome him," he was compelled to enter into a recognizance for a second appearance, and to pay more than four pounds for fees. These hardships were repeated, and then brought on an illness which threatened to prove fatal. A third appearance at the capital town was required, at which he was at length judicially "delivered from the hands and humors of his tyrannical

June 21.

[1] Mather MSS., VII. 26. — James Graham, a Scotchman, was one of the rapacious persons who came from New York to push their fortunes under the patronage of Andros. Graham was a merchant in that city as early as 1678. (Wooley, Two Years' Journal, 69.)

oppressors, who had exposed him to great difficulties and charges, and to two hundred and twenty-eight miles' travel in journeying to and from Boston."[1] The lesson was cogently taught, that it was altogether unsafe to interfere with the Governor's gifts of other people's property, and that no gravity of character, or public estimation, or distance of place, would protect from his vindictiveness.

In their distress, the people turned to England with faint hope of relief. Perhaps it was thought that the King's exultation in the new prospect of an heir to his throne[2] might incline him to greater lenity than could be obtained from his representative. Perhaps there was more hope than the facts would justify of effective aid to be obtained from the Dissenting interest in the parent country.[3] It was resolved to send Mr. Mather to make solicitation at court. Increase Mather, now forty-eight years old, was minister of the Second Church in Boston. The most eminent among the clergy of Massachusetts, he had been twice invited to become President of Harvard College, and now held that office provisionally, by an arrangement with his Boston congregation, which could not be prevailed upon to release him.[4] A resolute adherence to the old charter

Mission of Increase Mather to England.

1 Revolution Justified, &c., 26, 27.

2 See above, p. 467. — April 18, Andros, by proclamation, appointed a Thanksgiving to be held in the churches of the "Dominion" on the eleventh day after, for the Queen's pregnancy. (Conn. Rec., III. 443.)

3 "What should be made of the political views in the court at this time, who can say? Upon the numbering of the people, it was then reckoned that there were [in England] . . . . . about eleven hundred thousand Protestant Non-conformists, of several denominations." (Cotton Mather, Parentator, 104.)

4 After the resignation of President Hoar in 1675 (see above, p. 96), the office remained vacant for four years. Within that time the Reverend Urian Oakes, of Cambridge, and John Rogers, preacher and physician, were elected to it; but both excused themselves, the former probably on account of the displeasure he had excited in high quarters by his complicity in the cabal against Hoar. He, however, exercised substantially the functions of President, till, in February, 1679, a second election prevailed with him, and he administered the office with ability, diligence, and success for a little more

had won for him the confidence of the patriots of Massachusetts, and the hostility of the present rulers.

A letter, subscribed with the initials of his name, had been received from Boston five years before by a gentleman of Amsterdam. It contained severe animadversions upon the English ministry, and eulogies upon Lord Shaftesbury, Titus Oates, and other persons obnoxious to the King's displeasure. A copy, somehow obtained, was conveyed to Sir Lionel Jenkins, Secretary of State, who sent it to New England. Mather, brought to bay, insinuated that it was a forgery of Randolph.[1] Randolph prosecuted

than two years. At the end of this time he died, and the Reverend Increase Mather, of Boston, and the Reverend Samuel Torrey, of Weymouth, were successively chosen to succeed him; but both refused to forsake their parochial charge. Mr. Rogers was then a second time elected, and held the office for a year or two, till his death. Then the Reverend Joshua Moody, of Portsmouth, was chosen, but he too declined the place; and, June 11, 1685, the Fellows voted to request Mr. Mather "to take special care for the government of the College, and, for that end, to act as President until a further settlement be orderly made."

Increase Mather was son of the Reverend Richard Mather, of Dorchester; in his youth he was a favorite pupil of John Norton; after graduating at Harvard College at an early age, he went abroad for four years, spending one year in study at Trinity College, Dublin, and preaching to several congregations. The alteration in the prospect for Dissenters at the restoration of the King, and some intimations of General Monk's displeasure against him personally (Parentator, 21), drove him home; and he had now been for twenty-one years a minister of the Second Church in Boston. In this twofold position, of pastor and academic, the administrations of Dudley and of Andros found him. He had also been long one of the acknowledged leaders in both the ecclesiastical and the secular politics of the Colony, as the reader of this work has already had some occasion to observe. (See above, pp. 332, 385, 388.)

In the ten years between the resignation of Hoar and the appointment of Mather, only fifty-two young men took the degree of Bachelor of Arts at Harvard College. From the time of Mather's accession the number largely increased, — a result in no small part to be ascribed to the ability and reputation of Governor Leverett's grandson John, already Tutor, and eventually President.

[1] There is a copy of this letter among the Colonial Papers of the British State Paper Office. It was sent by one George Rosse to "Edward Randolph, Esq., at the Plantation Office at Whitehall," to whom Rosse writes: "It is a long time since I see you in Scotland, where your favors ever obliged me to be your humble servant"; and, "being lately in Amsterdam, accidentally came into my hands a letter from Boston, which I had time to copy." He dates his own letter, "Friday, June 6"; the

him for defamation. Mather was acquitted by a jury; but Randolph had the government on his side, and contrived to keep the suit alive, partly for the important object of preventing Mather's voyage. Mather concealed himself

sixth day of June fell on Friday in the year 1684.

The letter transmitted by Rosse to Edward Randolph, dated December 3, 1683, signed *I. M.*, and addressed to "my worthy friend Mr. G. [Gouge] in Amsterdam," purports to have been sent by the hand of a Jew who was first going to Barbadoes. Dudley received from England a transcript of it, which he showed to Increase Mather. In a letter to Dudley, of November 10, 1684, Mather disavows it, and suggests that it was a forgery of Randolph. He says that he received no letter (as the letter attributed to him declared that he did) by the hand of the agents, Dudley and Richards, on their return from England. He says that one of several books which the letter desires his friend to procure, he has had no occasion to send for, for he has owned it no less than fifteen years, while another he never heard of, and others are on sale in Boston. He declares he never esteemed Lord Shaftesbury, whom the letter commends. "Belike," he says, "the Jew's name that carried the letter was either Edward or Barnard Randolph. . . . . It is reported that he has a notable art in imitating hands; that he can do it so exactly that a man cannot easily discern the knavery. . . . . You may communicate this to whom you please." (Colonial Papers, &c. The copy of Mather's letter to Dudley got into that collection in consequence of being sent by Randolph to John Paddy.)

Hutchinson (Hist., I. 327), and other writers, have treated this letter as a forgery made with Randolph's privity. I have strong doubts as to the correctness of this opinion. I cannot imagine that he should have thought it worth his while to resort to such a trick. For him, as far as I can see, the play would not have been worth the candle. I find nothing in the letter, whether in respect to topics or opinions, that Increase Mather might not have written in 1683; and if not his, it is certainly a very clever specimen of the *Matherese* style. Still, I can by no means impugn his express denial. Repelled from this supposition, the next conjecture would refer us to an *alter idem* of the President, which — in some respects, though by no means in others — his son Cotton was. In 1683, Cotton Mather was but twenty years old; but he was exceedingly precocious. When an act was done inexplicable on any obvious grounds, it is to the inexplicable Cotton Mather, rather than to any other person of that time, that it is naturally ascribed; and I cannot but think that the writing of this letter, and putting his father's initials to it, would have been a freak quite characteristic of him. When it was written, no particular harm could have seemed likely to come of it. But when it got into the hands of a Secretary of State, and brought the ostensible author into trouble, the relations between him and the real author might have made the latter afraid to avow it; and a natural resource would be to charge a forgery upon Randolph, who had done roguery enough to justify the suspicion of any amount of more. Still, I am not ready to believe that, if Cotton Mather was

to avoid the service of a writ, and at length managed, by night and in disguise, to get on board a ship bound for England.[1]

April 7.

The great features of his administration having been determined so much to his mind, the Governor found leisure for an expedition to the eastward, which he had been contemplating for some months. He hoped to recommend himself both to the King and to the Colonists by frightening off the French settlers as far as to the St. Croix. He went from Boston to Portsmouth by land, and thence by sea to Casco Bay. Having visited the settlement at Pejepscot, and ascended the Kennebec several miles, he proceeded to Pemaquid, where the Rose frigate awaited him. The frigate took the Governor to the Penobscot, his special object being a conference with an adventurer named Castine, who held a little dominion of his own near the mouth of that river, in disregard of the claim of King James to its possession. Castine was a Frenchman, who had established himself some years before among the Penobscot Indians, adopted their manner of life, and taken three or four of their women for his wives.

Expedition of the Governor to the Eastern country. April 26.

The Governor caused his ship to be anchored "before Castine's door," and sent an officer on shore to announce his arrival, upon which Castine and his retinue decamped and took to the woods. "The Governor landed, with other gentlemen with him, and went into the house, and found a small altar in the common room, which altar and some pictures and ordinary ornaments they did not meddle with anything belonging

Capture of Castine's post.

the writer, he could have made up his mind to use the language which he has used in treating of the subject. (Parentator, 93.)

Increase Mather, in a letter to Dudley, of January 24, 1688, said it was not Edward Randolph that he had intended to charge with forgery, but his brother. (Mather MSS. in the Library of the Mass. Hist. Soc., VII. 2.)

[1] Parentator, 105–108.

thereto, but took away all his arms, powder, shot, iron kettles, and some trucking-cloth and his chairs, all which were put aboard the Rose, and laid up in order to a condemnation of trading." Andros had intended to repair an old English fort on the Penobscot, and had taken with him workmen and materials for the purpose; but finding the old work gone to ruin, "was resolved to spare that charge till a more proper time offered." He then returned to Pemaquid, having informed Castine, through some Indian messengers, that his property should be restored as soon as he would come to that place, and profess allegiance to the King of England.

Randolph, who had been detained at Boston by illness, met the Governor at sea, and returned with him to Pemaquid. There the Governor had business of two kinds. Occasion had arisen for uneasiness about the temper of the Indians of Maine, who had never been reconciled after their disasters in Philip's war, and who, excited, as was thought, by the influence of Castine, had recently broken out into some hostile acts.[1] The Indian chiefs of the neighborhood were now summoned to Pemaquid, where they "were well treated with shirts, rum, and trucking-cloth; and his Excellency in a short speech, by an interpreter, acquainted them that they should not fear the French, that he would defend them, and ordered them to call home all their young men, and they should live quietly and undisturbed."[2] Treaty with the Indians.

The other matter of business related to the recent administration of the County of Cornwall by Palmer and West, who, as deputies of Governor Dongan, had had it in charge. Randolph, confederate as he was with them, professed himself disgusted with the rapacity of their

1 See above, p. 503.

2 Randolph to Povey, June 21, 1688, in Hutch. Coll., 561–565; the same to the Lords of the Committee, October 8, in O'Callaghan, Documents, &c., III. 567.

proceedings. Anticipating the policy which Andros had now begun to carry out in Massachusetts, they had terrified the inhabitants into taking out new grants for their lands on the payment of exorbitant lease-money; a grievance felt to be the more distressing, when Andros, coming to the knowledge of what had been done, declared the patents lately bought of West and Palmer to be of no validity, "the commission [from Dongan], and the whole proceeding, being illegal." These upstart persons, Randolph wrote, had "very much oppressed the poor here." Randolph was impatient of all rapacity which interfered with his own. He ill brooked the influence of any other counsellor with his superior; the interlopers from New York were clever men, and he was not without fear that they would supplant him.[1] Before leaving Pemaquid, the Governor directed

Regulation of affairs in Cornwall.

1 Randolph to Povey, June 21, 1688, in Hutch. Coll., 561 – 565; comp. Randolph's Letter to the Lords of the Committee, in O'Callaghan, Documents, &c., III. 567. — Randolph thus describes the happy family of which he was the second most important member: "Mr. Graham and his family are settled in Boston; he is made Attorney-General, and now the Governor is safe in his New York confidants, all others being strangers to his Council. My cousin Mason can make no progress in his business; he has attempted to try his title at Piscataqua, but has been delayed by the judges, and the inhabitants are far more obstinate than formerly, Mr. West having told some of them that his title is little worth. All Mr. West aims at is to have the passing grants for all Mr. Mason's lands; and neither he nor Graham will allow that he has power to make a grant to any tenant; they are for leaving him out of all. The news of the Dissenters being indulged and taken into favor, at home, encouraged this people; and the judges will not give a cause for the King. They now dispute his Excellency's grants, and plead either possession or Indian purchase in bar of it. The addition of New York to this government does very much enlarge our bounds, and may be of great service to the crown; but they have been squeezed so dry by Colonel Dongan and his agents, West and Graham, that there is little good to be done. We are in great expectation of Foye's arrival, and some preparations are making for a Southern expedition; but I believe Sir Edmund will not go into New York till Colonel Dongan is removed off the place. There is no good understanding betwixt them, and 't was not well done of Palmer and West to tear all in pieces that was settled and granted at Pemaquid by Sir Edmund. ..... Some of the first settlers of that Eastern country were denied grants of their own lands, whilst these men have given the improved lands amongst themselves." (Hutch. Coll., 564; comp. Revolution Justified, &c., 37.)

that the fort at that important post should be put in thorough repair.

Returning to Boston from this expedition, Andros found a great promotion awaiting him. By a new commission the King had constituted him Governor of all the English possessions on the mainland of America, except Pennsylvania, Delaware, Maryland, and Virginia. The "Territory and Dominion" of New England was now to embrace the country between the fortieth degree of latitude and the River St. Croix, thus including New York and the Jerseys. The seat of government was to be at Boston; and a Deputy-Governor, to reside at New York, was to be the immediate head of the administration of that Colony and of the Jerseys. The Governor was to be assisted by a Council consisting of forty-two members, of whom five were to constitute a quorum. The Governor might suspend a Counsellor for sufficient cause, reporting his proceeding, with the reason of it, to the King. The Governor in Council might impose and collect taxes for the support of the government, and might pass laws, which however were, within three months of their enactment, to be sent over to the Privy Council for approval or repeal. "Whereas there were great tracts of land within the said Territory and Dominion yet undisposed of, and other lands, tenements, and hereditaments for which the royal confirmation might be wanting," the Governor was authorized "to dispose of such lands for a moderate quitrent, not under two shillings and sixpence for every hundred acres." He had an unrestricted prerogative to "suspend or discharge" the officers of the militia. The seal of New York was to be broken, and the seal of New England to be used for the whole jurisdiction. Liberty of conscience was to be allowed, agreeably to the Declaration of Indulgence. An account was to be kept of the entrance and clearance of

June. Extension of New England to Delaware Bay. April 7.

April 16.

vessels and cargoes, to be transmitted every year to England. The Governor was "to provide by all necessary means that no person keep any printing-press for printing, nor that any book, pamphlet, or other matter whatsoever, be printed without his special leave and license first obtained."[1]

Visit of the Governor to his Southern Provinces.

July 31. August 11. August 15. August 18.

After a few weeks passed in Boston,[2] Andros proceeded southward to take possession of his new government. He published his commission first in New York, and presently afterwards in East and in West Jersey, settling the two last-named Provinces "to their great satisfaction."[3] This might well be, for New York and New Jersey had never before had what might seem a stable government of any kind. Returning to New York, he there held a Council, at which members were present from all the Provinces, and an order lately made for suspending a levy of taxes laid by Dongan was rescinded.[4]

August 29.

August 23.

There, too, Andros heard the joyful news of the birth of a Prince of Wales, and issued a proclamation for the keeping of a day of thanksgiving for that

[1] For this new commission, and the full instructions of Lord Sunderland to Andros which accompanied it, see O'Callaghan, Documents, &c., III., 537–549. The date of the instructions is April 16. Captain Francis Nicholson, who had been a Counsellor since August 24, 1687 (Council Records), was commissioned to be Lieutenant-Governor, April 20, 1688. (Ibid., 536.) Hutchinson says (Hist., I. 331): "Several letters mention the arrival from England of John Palmer, who had been of Sir Edmund's Council, both in New York and New England, with a commission of appointment for Chief Judge of the Supreme Court." But certainly he was in error if he supposed that Dudley was thus superseded. — June 12, Andros's salary was fixed at £1400, "to be paid out of the revenue arising there, in the value of sterling money," and to begin at the publication of his commission.

[2] By a sort of commission, dated June 2, Andros designated Hubbard (Mather having gone abroad) to preside at the Commencement of Harvard College, as he had done on a previous occasion. See above, p. 153; comp. Mass. Hist. Coll., XXI. 83.

[3] Nicholson's Letter of August 31; comp. Andros's Letter of October 4 to the Lords of the Committee. (O'Callaghan, Documents, &c., III. 550, 554, 567.)

[4] Conn. Rec., III. 447.

auspicious event.[1] He next passed a month in a visit to Albany, to which place he went chiefly for the purpose of establishing a friendly understanding with the Indians of the Five Nations, who, it was feared, were coming under a dangerous influence on the part of the French.[2]

Visit to the Iroquois Indians August 30 – September 30.

The Indians were making disturbance again in all directions. Before going to Albany, the Governor received information of the murder, by some of them, of five Englishmen near Springfield, and of six more at Northfield, on Connecticut River.[3] This made occasion for him to hold, on his way homeward, a consultation at Hartford, with some of the principal men of the Colony and some of the native chiefs.[4]

Uneasiness among the Indians.

1 Andros to the Lords of the Committee, in O'Callaghan, Documents, &c., III. 554.

2 Conn. Rec., III. 449; O'Callaghan, Documents, &c., III. 555 – 561. — Mason died while accompanying the Governor on this journey. (Belknap, History, &c., I. 337; Letter of Randolph to the Lords, October 8, in O'Callaghan, Documents, &c., III. 368.) — King James seems to have now had a spasm of English feeling in respect to the threatened encroachments of the French upon his dependencies in America. France was beginning to manifest her ambition for American empire, by employing missionaries and erecting fortresses along the inland English frontier (Charlevoix, Histoire Générale de la Nouvelle France, Livre XI.); and the consolidating of the Northern English Colonies under one head probably seemed to King James's advisers a suitable measure of counteraction. "About the year 1685, the French of Canada encroached upon the lands of the subjects of the crown of England, building forts upon the heads of their great rivers, and, extending their bounds, disturbed the inhabitants; ..... whereupon it was advised and ordered in Council, that the three small Colonies of Connecticut, New Plymouth, and Rhode Island, not able to make any defence against the French, together with the Provinces of New Hampshire and Maine, should be united, and made one entire government, the better to defend themselves against invasion." (Randolph's "Short Narrative," &c., in O'Callaghan, Documents, III. 579.) "This [the annexation of New York and New Jersey to New England], besides other advantages, will be terrible to the French, and make them proceed with more caution than they have lately done." (Blathwayt to Randolph, March 11, 1688, in Hutch. Hist., I. 332.)

3 Letter of Andros to Major Gold, of August 25. (Conn. Rec., III. 448.) Comp. Letter of Randolph, of October 8, to the Lords of the Committee. (O'Callaghan, Documents, &c., III. 550 – 568.)

4 Letter of Andros to Allyn (Conn. Rec., III. 449), dated New York, Oct. 1.

Thence he went up to Northfield, where he was annoyed by intelligence brought to him from Boston, that the provisional government there, alarmed by a report of turbulent manifestations of the natives about Casco Bay,[1] had sent a force to Maine for the protection of the settlers.[2]

October 15.

October 11.

It does not appear that the Governor felt any concern about the operations of Mather in England. That sanguine emissary had not, however, been inactive. Arriving at London after a short passage, he in a few days obtained an audience of the King at Whitehall. The King was now diligently courting the Dissenters,[3] and he received Mather with gracious professions. At the first interview, Mather did no more than present Addresses, from ministers of Massachusetts and Plymouth, of thanks for the Declaration of Indulgence. At a second, two days after, he opened his case against Andros, and was directed to present in writing a statement of the grievances complained of. Subsequently the King received him three times, and renewed his promises of favor. Meanwhile Mather "made as many friends as he could." William Penn "treated him with much civility, ... and the Roman Catholics themselves used him very courteously." It was said that he came into friendly relations with Father Petre. But this he denied. "Some that were friends to New England strongly advised him to seek an acquaintance with that gentleman, and use his interest with the King; but he always declined it, and said it was next to going to

May 25.

May 30.

June 1.

July 2.

September 26.

October 16.

1 The alarm was wide-spread and serious, even in Massachusetts proper. Deputy-Governor Nicholson, who was t by Andros to Boston on his reception of bad news at Northfield, took active measures of precaution. (Letter of Nicholson, in O'Callaghan, Documents, &c., III. 550 – 552; Mass. Arch., CXXIX. 167, 168, 173, 179.)

2 Conn. Rec., III. 451; Narrative of Proceedings, &c., 11; Randolph to the Lords of the Committee, in O'Callaghan, Documents, &c., III. 365 – 367.

3 See above, p. 460.

the Devil for help, and he could never find in his heart to do it." The result of his observations upon the King was, that he "said, in his own mind, 'I will see thy face again no more.' He thought that he had heard good words enough, and saw they were all he was like to be put off withal."[1]

But he had not confined himself to endeavors in that exalted quarter. Jointly with Samuel Nowell and Elisha Hutchinson, formerly Assistants of Massachusetts, whom he found at London, he presented a petition to the Lords of the Committee, which received so much notice as to be referred by them to the Attorney-General.[2] The memorial "prayed, that the right which they [the Massachusetts people] had in their estates before the government was changed might be confirmed; and that no laws might be made, or moneys raised, without an Assembly, with sundry other particulars. . . . . The Clerk, William Blathwayt, sent to the Attorney-General a copy, wherein the essential proposal of an Assembly was wholly left out. And, being spoke to about it, he said the Earl of Sunderland blotted out that with his own hand."[3] The King's ministers had no mind to concede either of these material points, and Mather and his friends saw that they had effected nothing. One more ineffectual effort they made with King James, all whose attention was now beginning to be far otherwise employed. Their final petition to the Lords of the Committee was as follows: "Since your Lordships seem to be of opinion that his

Proceedings of Mather and his associates in England. August 10.

October.

1 Parentator, 109 – 116.

2 The same persons had presented an earlier petition, praying for "liberty of conscience and property," and a charter for the College, accompanied by "an humble memorial of the present condition of the Dissenters in New England." (Colonial Papers, &c.) It is likely that they found they had used a freedom of speech which had given offence; for there is an indorsement on their papers to the effect that a day was appointed for hearing them (June 19), but "they withdrew their petition, and did not appear." (Ibid.)

3 Narrative of the Miseries of New England, in Sixth Collection of Papers, &c. 33.

Majesty will not at present grant an Assembly to be held within his dominion of New England for the making of laws or raising of money, the petitioners humbly conceive that it will be much for his Majesty's service and the peaceable government of his subjects there, that, until his Majesty shall be graciously pleased to grant an Assembly, the Council should consist of such persons as shall be considerable proprietors of lands within his Majesty's dominions; and that, the counties being continued as at present, each county may have one at least of such of the inhabitants of the same to be members thereof. And that no Acts may pass for law but such as have been or shall be voted by the manifest consent of the major part in the Council. And that all laws, so made, may by printing be published for the general instruction of all the inhabitants."[1] So small a boon, in that dismal time, were men of Massachusetts content to ask from a King of England.[2]

[1] Hutch. Hist., I. 369.

[2] In the collection of Colonial Papers in the British State Paper Office is a characteristic letter written about this time (October 19, 1688) by Randolph to "John Paddy, at the Plantation Office, Whitehall." "Hearing how furiously Mr. Mather and his friends now at Whitehall drive on," he furnishes his friend with papers, "by which," he says, "you may inform yourself and others of the man, his qualities, and especially his loyalty." One of these papers, described by him as "a copy of Mr. Rosse's letter directed to me at the Plantation Office," relates to the alleged letter, mentioned above, of Increase Mather to a resident of Amsterdam. (See above, p. 557.) Randolph charges Mather with having said, at a public meeting in Boston, that "the King's desiring a surrender of their charter was like Ahab's requiring Naboth's vineyard." He added (see above, p. 388, note 1): "Mr. Wharton, then of another kidney, was present, and, upon hearing such expressions, left the meeting in great heat." Having reviled Mather and Nowell largely, Randolph winds up his letter with the words: "From such, good Lord deliver, Sir, your humble servant, Ed. Randolph."

In the same collection is a manuscript, bearing the title, "Naval Office Returns, Massachusetts, No. 35." It relates to the years 1686–1707, and contains important entries of Randolph, relating to the commerce of Boston. According to this authority, there were cleared at the port of Boston, in the half-year between March 25 and September 29, 1688, seven vessels for England (all bound to London); one, for Fayal; two, for Madeira; one, for Holland; eleven, for

The Governor's vexation about Indian affairs was not relieved when he found himself at home again in Boston. He was possessed with the idea that the Indians at the Eastward were hardly treated, and that it was needless severity to send a force against them, as the Magistrates at Boston had done in his absence.[1] He at once arrested the military movement, and discharged some natives who had been taken prisoners, at the same time issuing a proclamation, in which he called upon the Indians to set at liberty their English captives at once, and to surrender up to justice within three weeks every Indian who had killed a settler. He advised them to establish themselves near the settle-

October 25.

September.

Bilbao; one, for the Canary Islands; eighty-four, for Barbadoes, Jamaica, and other West India Islands; thirty-two, for other North American Colonies; one, for Portugal; and one, for Cadiz. Almost all these vessels were owned in Boston, and were "plantation built." The coasters and the vessels trading to the West Indies were of 30, 20, and 10 tons' measurement. There is one instance of a vessel of 7 tons; her lading consisted of "provisions; one pipe Madeira, and two chests of Rhenish wine; some earthenware, and a parcel of English goods, as per certificate." One vessel measured 200 tons; two, 160; one, 120; two, 140; two, 120; no other exceeded 100 tons. Within the same time there were entered thirty-seven vessels arriving from other North American Colonies; eighty-nine, from the West Indies; twenty-one, from England; two, from Madeira; four, from Fayal; and one, from Ireland. This last vessel was of 40 tons' burden, and she brought no other cargo than "thirty-one men and women servants, being bound for Virginia."

1 "Sir Edmund hath lately been at New York, and from thence to Albany, &c., through the country; was absent about eleven weeks, and, as I hear, will not allow it to be called a war, but murtherous acts, and he will inquire the grounds; is not pleased that any soldiers were levied, in his absence, to send Eastward, and hath released from prison Indians that were sent thence." (Letter from Danforth, in Boston, to Nowell, in London, of October 22, 1688, in Hutch. Coll., 565.) — This is a mournful letter. "Let me advise you," writes Danforth, "not to present anything by way of complaint to his Majesty; for that, I fear, will do us more hurt than good." "Without a General Assembly," he says, "our condition is little inferior to absolute slavery." "I again beseech you to conceal my name from all men, for you well know how great an object I am of their hatred." — One of Danforth's important opponents was now dead. "Mr. Peter Bulkeley died about three months since, and verily his sun did set in a cloud." (Ibid.) He had been failing many months. "As for Mr. Bulkeley, he is stupefied and drown in melancholy, and almost useless, being seldom with us." (Randolph to Povey, January 24, 1688, Ibid., 557.)

ments, and to cultivate relations of good-will with their English neighbors.

The proclamation produced little effect. The Indians were enraged and confident. Castine had taken deep offence, and his influence with the tribes was powerful. No prisoners or culprits were given up.[1] The language of the natives was defiant. Sir Edmund abandoned his peaceful policy. Collecting hastily a force of nearly a thousand men,[2] he led them into the Eastern country. The hardships and the misfortunes of the campaign added to the burden of his unpopularity. The weather was severe. The fatigue of long marches, through a country unsettled and without roads, was excessive. Sickness spread among the companies. Shelter and hospital stores had been insufficiently provided. The Indians fled unharmed to the woods, where they were at home and secure. The undertaking was contemptibly abortive.

Military expedition of Andros into Maine. November.

But the Governor, with all his faults, was no coward. He pressed on, and did what he could for the protection of the settlers by establishing forts at convenient distances. They were eleven in number, and were garrisoned through the winter by nearly six hundred men.[3]

The costliness, discomforts, and inutility of this expedition occasioned clamor in the camp, and increased the discontents existing at the capital. It was natural that the despotic Governor

Current suspicions as to his designs.

1 Chalmers (Annals, 428) says otherwise, as to prisoners. But the statement of Stoughton and others, in "Narrative of the Proceedings," &c. (12), is conclusive against him.

2 "An army of one thousand English," says Byfield. (Account of the Late Revolution, &c., 17.) Other authorities make the force to have been somewhat less. "About seven hundred soldiers then levied in this Colony, and sent thither." (Danforth to Sir Henry Ashurst, in Hutch. Hist., I. 353, note.) — Sir Edmund had at this time at least two companies of regular infantry; for, November 13, 1689, he "received pay for the two foot companies in New England to September 1, 1688." (Colonial Papers, &c.) According to Williamson (History, &c., I. 589, 590), whose authority for the statement I do not know, Andros took a hundred regulars into Maine.

3 Ibid.

should be assailed with more accusations than he merited. The public mind was embittered by suspicions of his being treacherous in these military transactions. It was said that he had attacked Castine's fort to provoke him to make a hostile league with the Indians; that at Albany he had made a peace between the Five Nations and the French, with a view to a concerted action against the Colonies of New England; that he had led Massachusetts troops into a wilderness in the depth of winter in order to their ruin, and not to the defeat of their enemies. An Indian prisoner reported that his comrades had been told by the Governor that the French would seize on Boston in the spring. Another said that the Mohawks had sent a message to his tribe that they had been hired by Sir Edmund to attack the English. The apprehension that he was instructed by the King to turn New England over to the French, in the contingency of a popular outbreak in England, was confirmed by reports of French men-of-war hovering about the coast for the consummation of this object.[1] At Pemaquid, information came to Andros of the apprehensions entertained at court of a movement of the Prince of Orange; whereupon he issued a proclamation commanding his Majesty's subjects in New England, and especially all officers, civil and military, to be on the alert, should there be an approach of any foreign fleet, to resist such landing or invasion as might be attempted.[2] Not unjustly, it may be believed, the Governor's object was understood to be to hold New England for King James, if possible, should the parent country regain her freedom.

1689. January 10.

1 Revolution Justified, 40, 41; Vindication of New England, 14, 15.

2 Revolution Justified, 10; Colonial Papers, &c.

CHAPTER XV.

1689. March. When Governor Andros returned to Boston from his unprosperous military expedition to the Eastern country, he met no friendly welcome.[1] The height to which the discontent with King James had reached in England was not unknown in America, and

[1] I do not know the precise time of Andros's return from his expedition to the Eastward. Hutchinson says (Hist. I. 332) that "a rumor of the landing of the Prince of Orange brought the Governor from Pemaquid." A rumor reached him, but was carefully suppressed (O'Callaghan, Documents, &c., III. 591, 660). January 26, 1689, Andros wrote from Pemaquid that he intended to return "as soon as the state of those parts would admit." (Mass. Arch., CXXIX. 316.) In Randolph's "Short Narrative," addressed to the Lords of the Committee (O'Callaghan, Documents, &c., III. 581), he says: "The Governor left the forces to the Eastward on the 16th of March, and arrived in Boston about a week after." But an official paper purports to have been executed by the Governor in Boston, March 5. (Mass. Arch., CXXIX. 346.) If this was so, it was immediately after his arrival there; for "he passed through Salem going for Boston, in March, 1688–89, when he came from the Indian war." (Affidavit of the Reverend Mr. Higginson, and Captain Sewall, of Salem, in "Revolution in New England Justified," pp. 12–15.)

On this occasion, in the presence of "the Attorney-General Graham, Secretary West, Judge Palmer, the room being also full of other people," the aged minister of Salem had a full conference with the Governor, who affirmed that "all the lands in New England were the King's," and "said with indignation, 'Either you are subjects, or you are rebels,' intimating," says Higginson, "as I understood him, according to the whole scope and tendency of his speeches and actions, that, if we would not yield all the lands of New England to be the King's, so as to take patents for lands, and to pay rent for the same, then we should not be accounted subjects, but rebels, and treated accordingly." (Ibid., 18, 20.)

Chalmers's reflections on the state of things at this time are as follows:—

"If from a Colony, always remarkable for quietude [Pennsylvania], we turn our attention to one as noted generally for turbulence, we shall observe those effects which necessarily result from correspondent causes, the successful result of projects deeply laid and ably conducted. The agents of Massachusetts, who went to England in the beginning of the year 1688, in conformity to instructions which re-

did not fail to exasperate the prevailing resentment against his tyrannical representative. The oppressive character of the Governor's administration created more and more indignation and alarm, as it was more developed and more discussed. The misfortunes of his recent campaign added to the burden of odium under which he lay. Exposure and disease had proved fatal to many of the soldiers, and their friends angrily asked what advantage the sacrifice had won.

One of the Governor's first acts after his return tended strongly to increase the popular disaffection. The gloomy and jealous state of men's minds had gained credit for

quired them to take every advantage of times and circumstances for the good of New England, having derived every advantage from the folly or infatuation of James II., beheld with satisfaction, in October, 1688, the approach of the Prince of Orange to England. They rejoiced in proportion as they perceived that their beloved Massachusetts must gain, whatever might be his success. When the information of Louis XIV. at length roused James II. from the dream of security into which he had been lulled by the insidious counsels of his minister, he on the 16th of October gave notice to Andros, by circular letter to the Governors, of the intended invasion. . . . . By the same opportunity, the agents transmitted not only the result of their solicitations, but informed their friends of what they saw and heard in England, and warned them to prepare the minds of the people for an interesting change. The vessel which carried all these different despatches arrived at Boston in the beginning of January, 1689. Andros . . . . . was then at Pemaquid, on the extremity of the Eastern frontiers. In pursuance of his orders, on the 10th of January he issued there a proclamation. . . . . But he gave commands in vain to men whose minds had been long alienated equally as well from their sovereign and his representative whom they hated as the author of their ills, and whose zeal would have received those proscribed invaders with acclamation and favor. Agreeably to the suggestions of the agents, a variety of rumors were scattered among the vulgar; now, that King James had fled to France, and there died of vexations; anon, that the Prince and Princess of Orange had been proclaimed King and Queen of England. Andros, unsuspicious that the train was affixed to a mine that was soon to blow his government in air, remained at Pemaquid till towards the end of March, — when he returned to Boston, in consequence of the reports that had reached him." (Annals, Book II. in Mr. Sparks's manuscript.)

I must add that Chalmers's statement of the time of Andros's return is confirmed by the Governor in his report to the Lords of the Committee. "About the latter end of March, 1688, Sir Edmund Andros returned for Boston." (R. I. Rec., III. 282.) Probably the official paper, with the date of March 5, was prepared in expectation of his arrival.

stories, circulating in the army, to the effect that he had a treacherous understanding with the Indians, and had even furnished them with ammunition for the destruction of the force under his command.[1] The stories were improbable, but his imprudence gave them an appearance of truth.[2] An Indian had declared, in the hearing of some inhabitants of Sudbury, "that the Governor was a rogue, and had hired the Indians to kill the English," adding some particulars of the alleged bargain. The Sudbury men rebuked him; and when he persisted in the allegation, two of them, named Browne and Goodenow, brought him to Watertown, and there told their story to a Justice of the Peace.

Charges of treachery against Andros.

March 22.

By the Justice's advice, they next took him to the Governor at Boston. The Governor was rough with them. They were not admitted to his presence till "after long waiting in a very wet and cold season," and then they "were detained until eleven or twelve o'clock at night." By this time they would have liked to be rid of the business and of their prisoner. But such was not the Governor's pleasure. He "commanded them still to take care of the Indian till his pleasure was to call for them again, and this as they would answer it. Thus being severely chidden out of his presence, they were forced with the Indian to seek their quarters where they could find them. The next morning," they say in their affidavit, "we were preparing to go home again to Sudbury (being twenty miles or more), being Saturday, when we were again sent for by the Governor by a messenger to wait on the Governor with the Indian, which we did, and waited at the Exchange or Council-House in Boston, from nine o'clock in the morning till three of the clock in the

His imprudent treatment of them.

1 Revolution Justified, &c., 27–30. 12; Vindication of New England, &c.,
2 Narrative of Proceedings, &c., 10– 14, 15.

afternoon, where, in the face of the country, we were made to wait upon the Indian with many squibs and scoffs that we met withal. At last, we were commanded up before the Governor and his Council, where we were examined apart over and over, and about the sunsetting were granted leave to go home, it being the evening before the Sabbath."

The officious witnesses remained at home unmolested a week, during which time, however, five of their neighbors, probably for professing to believe the Indian's story, were by "a messenger fetched down to Boston, where, after examination," one of them "was committed to close prison." The following week, "the Sheriff of Middlesex and his Deputy came up to Sudbury, and commanded" Browne and Goodenow, with three others, "forthwith to appear at Boston, at Colonel Paige's house; but, it being a wet and cold day, they were detained at Judge Dudley's house at Roxbury, where, after long waiting, they had the kindness shown them to have an examination, every man apart, before Judge Dudley, Judge Stoughton, Mr. Graham, and others, and were bound over to answer, at the next Superior Court to be held at Boston, what should there be objected against them on his Majesty's account." Browne, Goodenow, and another "were each of them bound over in three hundred pound bonds, and each man two sureties in three hundred pound bond apiece." The comment of the time was not unnatural nor uncandid. "Although no man does accuse Sir Edmund merely upon Indian testimony, yet let it be duly weighed (the premises considered) whether it might not create suspicion and an astonishment in the people of New England, in that he did not punish the Indians who thus charged him, but the English who complained of them for it."[1]

March 25.

April 1.

[1] Revolution Justified, &c., 31 – 34.

The nine days' wonder of the prosecution of the Sudbury men was not over, when a matter of far more serious import claimed the public attention. A young man, named John Winslow, arrived at Boston from the island of Nevis, bringing a copy of the Declaration issued by the Prince of Orange on his landing in England. His story is best told in the words of an affidavit made by him some months after.

News of the landing of the Prince of Orange in England. April 4. 1690. February 4.

"Being at Nevis," he says, "there came in a ship from some part of England with the Prince of Orange's Declarations, and brought news also of his happy proceedings in England, with his entrance there; which was very welcome news to me, and I knew it would be so to the rest of the people in New England. And I, being bound thither, and very willing to carry such good news with me, gave four shillings sixpence for the said Declarations, on purpose to let the people in New England understand what a speedy deliverance they might expect from arbitrary power. We arrived at Boston harbor the fourth day of April following; and, as soon as I came home to my house, Sir Edmund Andros, understanding I brought the Prince's Declarations with me, sent the Sheriff to me. So I went along with him to the Governor's house; and, as soon as I came in, he asked me why I did not come and tell him the news. I told him I thought it not my duty, neither was it customary for any passenger to go to the Governor, when the master of the ship had been with him before, and told him the news. He asked me where the Declarations I brought with me were. I told him I could not tell, being afraid to let him have them, because he would not let the people know any news. He told me I was a saucy fellow, and bid the Sheriff carry me away to the Justices of the Peace; and, as we were going, I told the Sheriff I would choose my

1689. February.

Justice; he told me, No, I must go before Doctor Bullivant, one picked on purpose (as I judged) for the business. Well, I told him, I did not care who I went before, for I knew my cause was good. So soon as I came in, two more of the Justices dropped in, Charles Lidget and Francis Foxcroft, such as the former, fit for the purpose. So they asked me for my papers. I told them I would not let them have them, by reason they kept all the news from the people. So when they saw they could not get what I bought with my money, they sent me to prison for bringing traitorous and treasonable libels and papers of news, notwithstanding I offered them security to the value of two thousand pounds."[1]

The intelligence which had reached Winslow at Nevis, and was brought thence by him to Boston, could scarcely have embraced transactions in England of a later date than the first month after the landing of the Prince of Orange. Within that time, the result of the expedition was extremely doubtful.[2] There had been no extensive rising against the King, and every day of delay was in his favor. He had a powerful army and fleet; and the history of England taught nothing more clearly, than the insecurity of all calculations upon popular discontent, when an occasion arose for putting English loyalty to the last proof. Should the clergy, after all, be true to their ostentatious assertions of the obligation of unqualified obedience; should the army be faithful; should the King, by artifice or by victory, attract to his side the wavering mass of his subjects, and expel the Dutch invader, then there would be an awful reckoning for all who had taken

1 Vindication, &c., 21, 22; Revolution Justified, &c., 11, 12.

2 "They, as it were, rescued the country out of the hands of the French, even before they knew the Prince of Orange was King of England, and that at a time when they knew no more than that his Highness was landed in England. . . . . They also accounted it their duty to embark themselves in the same cause, though they knew not what the issue of so mighty a work might be." (Ibid.; comp. Hutchinson Papers, in Mass. Hist. Coll., XXI. 100.)

part against the court. The proceedings after the insurrection under Monmouth had not entirely shown how cruel James could be. His position then had been far less critical than now. Then he enjoyed some degree of popular esteem, and then the preparations against him were not on a formidable scale. Now he was thoroughly frightened. In proportion to his present alarm would be his fury if he should come off victorious. The last chance was pending. If now opposed in vain, he would be henceforward irresistible. Englishmen who should now withstand their King must be sure to conquer him, or must abandon all security for property, liberty, and life. Was it any way prudent for the feeble Colony of Massachusetts, divided by parties, and with its administration in the hands of a tool of the tyrant, to throw itself into the contest at this doubtful stage?

It is unavoidable to suppose that these considerations were anxiously weighed by the patriots of Massachusetts after the reception of the momentous intelligence from England. It is natural to believe that, during the fortnight which followed, there were earnest arguments between the more and the less sanguine portions of the people. It seems probable that the leaders, who had most to fear from rashness, if it should be followed by defeat, pleaded for forbearance, or at least delay. If any of them took a different part, they took it warily, and so as not to be publicly committed. But the people's blood was up. Though any day now might bring tidings which would assure them whether a movement of theirs would be safe or fatal, their impatience could not be controlled. If the leaders would not lead, some of the followers must take their places. Massachusetts must at all events have her share in the struggle, and her share, if King James should conquer, in the ruin.

It may be presumed that Andros saw threatening

signs,[1] as, when next heard of, he was within the walls of the work on Fort Hill. Two weeks had passed after Winslow came with his news, when, at an early hour of the day, without any audible note of preparation, Boston was all astir. The day was Thursday, when the weekly lecture of the First Church invited a concourse from the neighboring towns.[2] At the South End of Boston a rumor spread that armed men were collecting at the North End. At the North, it was told that there was a bustle and a rising at the South; and a party, having found Captain George of the *Rose* frigate on shore, laid hands on him, and gave him over to a guard. "About nine of the clock the drums beat through the town, and an ensign was set up upon the beacon." Presently Captain Hill marched his company up King [State] Street, escorting Bradstreet, Danforth, Richards, Cooke, Addington, and others of the old Magistrates, who proceeded together to the Council-Chamber. Meantime, Secretary Randolph, the Justices Bullivant and Foxcroft, Sheriff Sherlock, and "many more" of the Governor's party, were apprehended and put in gaol. The gaol-keeper was added to their company, and his function was undertaken by "Scates the bricklayer."

Rising in Boston. April 18.

"About noon," the gentlemen who had been conferring together in the Council-Chamber appeared in the eastern gallery of the Town-House, at the head of King Street,

1 Gershom Bulkeley says (People's Right to Election, &c., in Conn. Hist. Coll., I. 77) that "the people's taking to arms was wholly a surprise to his Excellency, and that, until they were actually so, he had not the least advice or intimation thereof." But Bulkeley, living so far off as Connecticut, was mistaken. April 16, two days before the outbreak, Andros wrote to the Counsellor Brockholst, informing him that there was "a general buzzing among the people, great with expectation of their old Charter, or they know not what," and directing that magistrates should be vigilant, and that extra rations should be served out to the troops. (Hutch. Hist., I. 332, 333.)

2 Letter of Bradford and Thomas to Hinckley, in Mass. Hist. Coll., XXXV. 190.

and there read to the assembled people what was entitled a "Declaration of the Gentlemen, Merchants, and Inhabitants of Boston, and the Country adjacent." The document contains a short narrative of the oppressions that had been suffered by the Colony, beginning with the vacating of the charter. It animadverts briefly on the "illegal" commission to President Dudley and his Council, and then proceeds to portray at some length the misgovernment of Andros, as it has been described in these pages. Towards the end, it refers in a few words to "the noble undertaking of the Prince of Orange, to preserve the three kingdoms from the horrible brinks of Popery and Slavery, and to bring to a condign punishment those worst of men by whom English liberties have been destroyed." One point was delicate; for among the recent Counsellors of the Governor had been considerable men, who, it was hoped, would hereafter act with the people. It is thus disposed of: "All the Council were not engaged in these ill actions; but those of them which were true lovers of their country were seldom admitted to, and seldomer consulted at, the debates which produced these unrighteous things. Care was taken to keep them under disadvantages, and the Governor, with five or six more, did what they would."

Manifesto of the leaders.

The Declaration concludes as follows: —

"We do therefore seize upon the persons of those few ill men which have been (next to our sins) the grand authors of our miseries; resolving to secure them for what justice orders from his Highness, with the English Parliament, shall direct, lest, ere we are aware, we find (what we may fear, being on all sides in danger) ourselves to be by them given away to a foreign power, before such orders can reach unto us; for which orders we now humbly wait. In the mean time, firmly believing that we have endeavored nothing but what mere duty to God and our country calls for at our hands, we com-

mit our enterprise unto the blessing of Him who hears the cry of the oppressed; and advise all our neighbors, for whom we have thus ventured ourselves, to join with us in prayers, and all just actions, for the defence of the land."[1]

[1] For the "Declaration" see Nathaniel Byfield's "Account of the Late Revolution," &c., 7 – 20. Hutchinson (Hist., I. 339) says: "There would be room to doubt whether this Declaration was not a work of time, and prepared beforehand, if it did not appear, by the style and language, to have been the performance of one of the ministers of Boston, who had a remarkable talent for very quick and sudden composures." Hutchinson had Cotton Mather in his mind. I presume that Cotton Mather was the chief author of the Declaration; a probability confirmed by the manner in which he has abridged it (Magnalia, II. 43, 44), treating it in that loving way which he would think due to a bantling of his own. But I also incline to think that it was "a work of time," and that it was composed before news came of the landing of the Prince of Orange, in the hope that some occasion might arise, or be made, for its use. I will go so far as to say, that the brief mention, towards the end, of the recent news of the Prince's landing does not indicate to me that the bulk of the paper was prepared after that news came. I think his enterprise would then have been more likely to be made the first topic, and to furnish an introduction to the rest. The mention of it, coming where it now does, looks to me rather like an afterthought and an appendix.

It would be very interesting to know when and how the rising in Boston was projected. But conspirators do not show their hands while they are at their game; and, after the settlement under King William, it became altogether unsuitable for those who had been privy to the facts to let it be known that the insurrection at Boston was a movement independent of his enterprise. Morton's Sermon, so redolent of mutiny, was preached a year and a half before the outbreak. (See above, p. 547.) It is not likely that the winter of Andros's absence at the Eastward passed without many consultations at Boston among the patriotic malecontents. Chalmers, in his unpublished Second Book of "Political Annals," (see above, p. 480,) wrote: "As vessels frequently sailed from Holland to Boston during the winter, the conductors of the intended projects received from their correspondents in that country regular notice of every event in Europe. And they circulated their inventions or their fictions as best suited the conjuncture of the times." The author of a piece which I read in the British State Paper Office, "Reflections on a Pamphlet lately come abroad, entitled, 'Reasons for the Confirmation of the Charters belonging to the several Colonies of New England,'" declares that "the subversion of kingly government and re-establishment of their Commonwealth in New England was long contrived before they knew anything of the Prince of Orange's arrival or design; only a suitable opportunity was wanting to put it in execution, which that juncture of affairs afforded them." — "That such was their design, to rend themselves from the crown of England, will appear from the free and open confession of

Andros sent Edward Dudley, the young son of the Chief Justice, with a message to the ministers[1] and to two or three other considerable citizens, inviting them to the fort for a conference, which they declined. Meanwhile the signal on Beacon Hill had done its office, and by two o'clock in the afternoon, in addition to twenty companies already paraded in Boston, several hundred soldiers were seen on the Charlestown side, ready to cross over. Fifteen principal gentlemen, some of them lately Counsellors, and others Assistants under the old charter, subscribed a summons which was sent to Andros. "We judge it necessary," they wrote, "you forthwith surrender and deliver up the government and fortification, to be preserved and disposed according to order and direction from the crown of England, which suddenly is expected may arrive, promising all security from violence to yourself or any of your gentlemen or soldiers in person or estate. Otherwise we are assured they will endeavor the taking of the fortification by storm, if any opposition be made."[2]

Summons to the Governor.

"The frigate, upon the news, put out all her flags and pendants, and opened all her ports, and with all speed made ready for fight, under the command of the lieuten-

some well knowing in that conspiracy, who have since declared by witnesses of undeniable truth, now here in England, that the design of seizing upon Sir Edmund Andros, and subverting kingly government in New England, had been long contrived and resolved on, and was to have been done the beginning of January, 1688 [1689], and that those concerned in the late revolution were then to have acted the like parts, at which time was no account of the Prince of Orange's intention of coming into England known in that land." (C. D., Brief and True Account, &c., London, 1690.) — Bulkeley, in his "Will and Doom," alludes to rumors, current in the winter of 1688–89, of "a plot on foot in Connecticut, as well as other parts of the country, to make insurrection and subvert the government"; and mentions some circumstances corroborative of the general fact, and particularly of a concert between Connecticut and Massachusetts. (Conn. Rec., III. 455, 456.)

[1] The Boston ministers were Messrs. Allen and Moody of the First Church, Increase and Cotton Mather of the Second, and Willard of the Old South.

[2] Byfield, Account of the Late Revolution, &c., 20.

ant, he swearing that he would die before she should be taken." He sent a boat to bring off Andros and his attendants, but it had scarcely touched the beach when the crew were encountered and overpowered by the party from the Town-House, which, under the command of Mr. John Nelson, was bearing the summons to the Governor.[1] The boat was kept, with the sailors manning it, who were disarmed.[2] Andros and his friends withdrew again within the fort, from which they had come down to go on board the frigate. Nelson disposed his party on two sides of the fort, and, getting possession of some cannon in an outwork, pointed them against the walls. The soldiers within were daunted. The Governor asked and obtained a suspension of the attack, till he should send West and another person to confer with the directors of affairs at the Town-House. The reply, whatever it was, decided him how to proceed; and he and his party "came forth from the fort, and went disarmed to the Town-House, and from thence, some to the close gaol, and the Governor, under a guard, to Mr Usher's house."

Imprisonment of the Governor.

So ended the first day of the insurrection. The Castle and the frigate were still defiant in the harbor. Andros was induced to order a surrender of the Castle[3] by a threat that, "if he would not give it presently, under his hand and seal, he would be exposed to the rage of the people." A party of Colonial militia then "went down, and it was surrendered to them with cursings; and they brought the men away, and made Captain Fairweather commander in it. Now, by the time the men came back from the Castle, all the guns, both in ships and batteries, were brought to bear against the

Occupation of the Castle. April 19.

1 "About four o'clock in the afternoon, orders were given to go and demand the fort." (Anonymous letter in Hutch. Hist., I. 335.)

2 The boat's crew were set at liberty on the 22d. (MS. Mass. Rec., VI. 4.)

3 Mass. Arch., CVII. 1.

frigate, which were enough to have shattered her in pieces at once, resolving to have her."

Captain George, who, as the reader has been told, had long nursed a private quarrel with the arch-disturber, "cast all the blame now upon that devil Randolph; for had it not been for him, he had never troubled this good people; — earnestly soliciting that he might not be constrained to surrender the ship, for by so doing both himself and all his men would lose their wages, which otherwise would be recovered in England, giving leave to go on board, and strike the topmasts, and bring the sails on shore." The arrangement was made, and the necessity for firing on a ship of the royal navy was escaped. The sails were brought on shore, and there put away; and the frigate swung to her anchors off Long Wharf, a harmless and ridiculous hulk. "The country people came armed into the town, in the afternoon, in such rage and heat that it made all tremble to think what would follow; for nothing would satisfy them, but that the Governor should be bound in chains or cords, and put in a more secure place, and that they would see done before they went away; and to satisfy them, he was guarded by them to the fort."

Stripping of the *Rose* frigate.

The fort in Boston had been given in charge to Nelson, and there Colonel Lidgett shared the captivity of the Governor, who was transferred thither the day after his arrest. Graham, Palmer,[1]

Imprisonment of the Governor's adherents.

1 In this seclusion Palmer wrote his "Impartial Account of the State of New England," which has been quoted in the foregoing pages. It is in the form of "A Letter to the Clergy of New England." The Postscript (40) is dated June 20, 1689. At first it was circulated only in manuscript, and anonymously. (Ibid., 3.) Then it was published in Boston, with the title, "The Present State of New England, impartially considered in a Letter to the Clergy, by F. L." The following year that printed edition of it of which I have used a copy appeared in London, with the writer's name, and with alterations, additions, and omissions, particularly the omission of a set argument, bolstered up with numerous authorities, digested under nine heads, and covering some twenty pages, against the sin of rebellion, — an ar

West and others of his set were placed in Fairweather's custody at the Castle. Randolph was taken care of at the common gaol, by the new keeper, "Scates, the bricklayer." Andros came near effecting his escape. Disguised in woman's clothes, he had safely passed two sentries, but was stopped by a third, who observed his shoes, which he had neglected to change.[1] Dudley was absent at Long Island, on his circuit as Chief Justice. Returning homeward, he heard the great news at Newport. He crossed into the Narragansett country, where he hoped to lie concealed at the house of his fellow-Counsellor, Major Smith; but a party got upon his track, and took him to his home at Roxbury. "To secure him against violence," as the order expresses it, a guard was placed about his house. Dudley's host, Smith, was lodged in gaol at Bristol.[2]

April 26.

April 21.

April 28.

gument which would not have been opportune at the court of the Liberator, in the second year of his reign.

[1] June 6, for greater security, perhaps, he was sent to the Castle. (MS. Mass. Rec., VI. 31.)

[2] An anonymous letter of April 22, addressed by an eyewitness of the transactions to Hinckley, Governor of Plymouth, and adopted by Hutchinson (Hist., I. 334 – 336), and Nathaniel Byfield's letter of April 29, to friends in England (Account of the Late Revolution in New England, &c., pp. 4 – 6), are the chief authorities for the proceedings of the two memorable days, April 18 and 19, as I have described them above. They agree together remarkably in every material point.

Bulkeley, whose opportunities of information were not the best, says: "Hearing that many of the Council were at the Council-Chamber, where (it being the ordinary Council-day) they were to meet (and some particularly by him sent for, from Salem and other parts, to be there), his Excellency went to them, and desired their assistance to pacify the people then in arms, offering on his part to do what might be proper for his Majesty's service and the good and welfare of his subjects here; but several others of the chief of the town, and Magistrates in the late government, being designedly met there, instead of complying with his Excellency's proposals, ... they lent the crowd their arm to shake the tree, [this is a line of "Absalom and Achitophel,"] and made his Excellency a prisoner in the Council-Chamber, and soon after some of the Council and other officers that waited on him. . . . . After his Excellency was thus confined, he was often pressed with threats to give order for the surrender of the fort and Castle, which he absolutely refused, and never gave any order for the surrender of either, but they were forced from the officers that had the command

Resentment against Dudley.

To secure Dudley against popular violence might well be an occasion of anxious care to those who had formerly been his partners in public trusts. Among the oppressors, he it was whom the

of them." (People's Right to Election, &c., in Conn. Hist. Coll., I. 77, 78.)

A memorandum in the State-Paper Office of the "Names of those imprisoned with Sir Edmund Andros" designates twenty-five persons. According to Hutchinson (Hist., I. 333), the "obnoxious persons," who, on the 18th of April, "were seized and confined," were "about fifty in the whole." Comp. Danforth to Hinckley, in Mass. Hist. Coll., XXXV. 192. — John Nelson, who bore the summons to Fort Hill, "was a gentleman of good family, and a near relation to Sir Thomas Temple, an enemy to the tyrannical government of Andros, but an Episcopalian in principle." (Hutch. Hist., I. 337.) One might suppose he would have been able to protect his church from violence; but according to C. D. (see above, p. 579, note), "the church itself had great difficulty to withstand their fury, receiving the marks of their indignation and scorn by having the windows broke to pieces, and the doors and walls daubed and defiled with other filth, in the rudest and basest manner imaginable." I presume, from Dr. Greenwood's omission to mention anything of this kind (History of King's Chapel, 43 – 51), that he did not believe it, though in the venomous Address of the Rector and Church-Wardens to King William, they said, "Our church, by their rage and fury having been greatly hurt and damnified, and daily threatened to be pulled down and destroyed." (Vindication of New England, &c., 5.)

In the State-Paper Office is an account of some of the transactions above related, addressed, June 12, by Captain George to Pepys, Secretary of the Admiralty. He says that "some hours after" his own arrest (and when he could not have been a personal observer), Andros was seized when "coming down to sit in Council," and this partly in consequence of "rumors being spread among the people that at least he intended to fire the town at one end, and I [George] at the other, and then go away in the smoke for France." He says, that on the 19th he was lodged, under a guard, at "Colonel Shrimpton's house, who was very kind" to him. The only material deviation of his story from others (extorted perhaps by a sense of professional dignity) is in what follows: — "I was sent for to the Council of Safety, as they term themselves, consisting of the chief gentlemen and merchants of Boston, who demanded of me an order to the lieutenant for surrendering the ship. In answer to which, I said it was not in my power, being a prisoner, nor would I ever be brought to give such order, which the lieutenant would not obey. They told me my commission was now of no force, and urged me to take a commission from them, and serve the country. I told them my commission was good, till one from the crown of England made it invalid. While they were thus discoursing with me, they sent on board two or three men, who persuaded the lieutenant and company to declare for the Prince of Orange; which was presently done; and they immediately informed me of it, and remanded me back to confinement. On the 23d of the same month, an order was sent on board by the said Council to the lieutenant, for the deliv-

people found it hardest to forgive. If Andros, Randolph, West, and others were tyrants and extortioners, at all events they were strangers; they had not been preying on their own kinsmen. But this man was son of a brave

ery of the sails, which was accordingly executed, and they now remain in custody of them."

In a letter of seven closely written pages, addressed by Randolph "from the common gaol in Boston, 29th May, 1689," to the Lords of the Committee, he says: "Five ministers of Boston, namely, Moody, Allen, young Mather, Willard, and Milburn, an Anabaptist minister, were in the Council-Chamber on the 18th of April, when the Governor and myself were brought out of the fort before them, writing orders, and were authors of some of their printed papers." (Colonial Papers, &c.) The Governor's letters from England and his own, he proceeds to say, "are stopped and opened by Sir William Phipps, who says the Governor is a rogue." (Ibid.)

There is in the State-Paper Office a paper entitled "A Narrative of the Proceedings at Boston in New England upon the Inhabitants seizing the Government there," presented to the Lords of the Committee, July 22, 1689, by John Riggs, called "a servant of Sir Edmund Andros." I give it for what it may be thought worth. It is as follows:—

"On the 18th of April, 1689, about eight o'clock in the morning, the Governor, Sir Edmund Andros, being informed that some numbers of men were gathering together at Charlestown, sent for the sheriff, who assured him it was a false report. About two hours after, Captain George, Commander of one of his Majesty's frigates there, coming on shore, was seized by the inhabitants and his sword taken from him; who, upon his expostulating their authority, showed their swords, saying, that was their authority. By such time as this came to the Governor's ear, there was at least a thousand men in arms, crying one and all, seizing and carrying to prison whosoever they suspected would oppose or disprove their design. About noon they called a Council, and made one Broadstreete (formerly their Governor) President of it; and then drew up a paper, or narrative, why they betook themselves to arms; and at the same time with armed men encompassed the fort in great numbers, forcing the out-guards to retire; whereupon the Governor (by advice of such gentlemen as had retired to him into the fort) went out to them to know the reason of their tumultuous arming, and was presented with a paper by one who said he was sent by the Council to demand and receive the fort, and said farther that the Council desired to speak with him, the Governor, in order to appease the people. The Governor replied that he knew of no Council, nor had any one there power to convene one without his order; and so retired to consult with the gentlemen in the fort with him, who advised him to go down to them to the Town-House, where the pretended Council were assembled, and they would wait on him thither; where they were no sooner come but those with him were seized and sent away to prison, not being permitted to go in with the Governor, who, demanding the reason of that their meeting and the tumultuous arming in the town, was answered by

old emigrant Governor; he had been bred by the bounty of Harvard College; he had been welcomed at the earliest hour to the offices of the Commonwealth, and promoted in them with a promptness out of proportion

one of the pretended Council that now was the time for them to look to themselves, and they must and would have the government in their own hands, telling the Governor he was their prisoner. By this time, there was at least five thousand men in arms in the town, most of them drawn up to the fort, which they demanded, there being only two commission officers and the main-guard, in all not above fourteen men in it, threatening to storm it, and put them all to the sword, if they refused to surrender it. But their threats not prevailing, they sent down to their Council, who sent to the Governor (whom they had sent prisoner to one Mr. Usher's house with a strong guard) to give orders for the surrender of it. Whereupon the Governor told them that he wondered at their confidence, having made him their prisoner, to ask it of him, saying he would sooner die than give any such order. Finding they could not prevail upon him, they took Mr. Randolph, Secretary of the government, and clapping a pistol to his breast, threatened to shoot him if he did not go with them to the fort, and acquaint those in it, as from the Governor, that it was his pleasure and direction that they should deliver it up. Which message Mr. Randolph was forced to deliver. And they within, considering that the Governor was a prisoner and themselves not able to man a fifth part of it, upon condition they should have their liberties, surrendered the fort; which having gotten, then they wanted the Castle (which stands about a league from the town), which after they had sent down a party to demand and were refused, they use the same violence on Mr. Randolph as before, and force him to deliver the same false message as from the Governor. But the Castle would not obey, suspecting the violence used to Mr. Randolph. Hereupon they apply to the Governor as before for his orders to deliver the Castle, and he gave them his former answer; to which they replied, that they would have it, let it cost what it would, and, if he would not order its delivery, they would expose him first to the shot that should come from it. But their threats not prevailing, they added they would put all his adherents to the sword. The next day, upon consideration that the Castle could make no long opposition, and that they could expect no relief but from England, which was very remote, and that most of the soldiers were to the eastwards in several garrisons, and the man-of-war as well as the Governor already in their hands, and the people very riotous and ready to put their threats into execution, several gentlemen, as indifferent persons, went down to the Castle and prevailed with the commander (upon faithful promise of their liberty) to deliver the Castle. Which was done accordingly. But they no sooner came up to the town, but were all imprisoned, and still continue so. The Governor with two others is a close prisoner in the fort, being denied the service of his own cook to dress his meat, nor suffered to speak with any person but in the presence of two witnesses. Mr. Dudley, Mr. Randolph, and most of the justices, with other officers and

to the claims of his years. Confided in, enriched, caressed from youth to middle life by his native Colony beyond any other man of his time, he had been pampered into a power, which, as soon as the opportunity was presented, he used for the grievous humiliation and distress of his generous friends. That he had not brought them to utter ruin seemed to have been owing to no want of resolute purpose on his part to advance himself as the congenial instrument of a despot.

A revolution had been consummated, and the government of the King of England in Massachusetts was dissolved.[1] The day after Andros was led to prison, the persons who had been put forward in the movement assembled again to deliberate on the state of affairs. The result was, that several of them, with twenty-two others whom they now associated, formed themselves into a provisional government, which took the name of a "Council for the Safety of the People, and Conservation of the Peace." They elected Bradstreet, now eighty-seven years of age, to be their President, and Wait Winthrop to command the militia. Among the orders passed on the first day of this new administration was one addressed to Colonel Tyng, Major Savage, and Captains Davis and Willard, serving in the Eastern country, to send certain officers to Boston, and dismiss a portion of their force. There

Provisional government of Massachusetts April 20.

gentlemen, are in the common gaol; the Judges and Attorney-General and some commission officers close prisoners in the Castle, where they all still continue in great durance."

A few periods of an account of his administration, presented by Sir Edmund to the Lords of the Committee, relate to the transactions of the 18th and 19th of April. They are extremely disingenuous. One would infer from them that on the first day of the revolt he went voluntarily to the Town-House, to attend an appointed meeting of the Council. It has been printed (R. I. Rec., III. 281–285) from the original in the collection of Colonial Papers, &c.

1 In a manner, Massachusetts anticipated the parent state in deposing the Stuart family, as Virginia had preceded the parent state in restoring it. Charles the Second was proclaimed King in Virginia, before tidings came thither of the death of Oliver Cromwell. (Chalmers, Annals, 124, 125.)

was probably a threefold purpose in this order, — to get possession of the persons of some distrusted officers; to gratify a prevailing opinion that the exposures of the campaign had been needless, as well as cruel; and to obtain a reinforcement of skilled troops at the centre of affairs.[1]

The Council felt the weakness of their position. They held their place neither by deputation from the sovereign, nor by election of the people. They hesitated to set up the charter again, for it had been formally condemned in the King's courts, and there was a large party about them who bore it no good-will; nor was it to be expected that their President, the timid Bradstreet, whatever were his own wishes, could be brought to consent to so bold a measure. Naturally and not improperly desirous to escape from such a responsibility, they decided to summon a convention, to consist of two delegates from each town in the jurisdiction, except Boston, which was to send four.[2]

Convention of delegates from the towns.

May 2.

May 9. On the appointed day, sixty-six delegates came together. They brought from their homes, or speedily reached, the conclusion that of right the old charter was still in force; and they addressed a communication to that effect to the Magistrates who had been elected just before Dudley took the government, desiring those Magistrates to resume their functions, and to constitute, with the delegates just now sent from the towns, the General Court of the Colony, according to ancient law and practice. Their request was denied. Either the wisdom or the fears of the Magistrates held them back from so bold a venture. The delegates then desired the Council to continue to act as a Committee of Public Safety, till another convention might assemble of delegates bringing express instructions from their towns.[3]

May 10.

[1] MS. Mass. Rec., VI. 2–4. [2] Ibid., 12. [3] Ibid., 15–18.

Fifty-four towns were represented in the new convention. All but fourteen of them had instructed their delegates to insist on the resumption of the charter. In the Council, the majority was opposed to that scheme. After a debate of two days, the popular policy prevailed, and the Governor and Magistrates, chosen at the last election under the charter, consented to assume the trusts then committed to them, and, in concert with Deputies to be newly elected, to form a General Court, and administer the Colony, for the present, according to the ancient forms. They desired that the other gentlemen lately associated with them in the Council should continue to hold that relation. But this the delegates disapproved; and accordingly those gentlemen, among whom were Wait Winthrop, the newly-appointed commander-in-chief, and Stoughton, whom the people could not yet forgive, relinquished their part in the conduct of affairs.[1] They did so with prudence and magnanimity, engaging to exert themselves to allay the dissatisfaction of their friends, and only avowing their expectation that the state prisoners would be well treated, and that there should be no encouragement to popular manifestations of hostility to England. Bradstreet and Addington were re-elected to the offices which had been recently assigned to them in the temporary government.[2]

A second convention. May 22.

Provisional re-establishment of the ancient government. May 24.

May 25.

Scarcely had this arrangement been made, when it became known that, if dangers still existed, at least the chief danger was over. A ship arrived from England, with an order to the authorities on the spot to proclaim King William and Queen Mary. Never, since the Mayflower groped her way into Plymouth harbor, had a message from the parent country

May 26

1 It deserves remark, that to the letter in which this was done the name of the morose Stoughton was not subscribed.

2 MS. Mass. Rec., VI. 25–28

been received in New England with such joy. Never had such a pageant as, three days after, expressed the prevailing happiness, been seen in Massachusetts. From far and near the people flocked into Boston; the government, attended by the principal gentlemen of the capital and the towns around, passed in procession on horseback through the thoroughfares; the regiment of the town, and companies and troops of horse and foot from the country, lent their pomp to the show; there was a great dinner at the Town-House for the better sort; wine was served out in the streets; and the evening was made noisy with acclamations, till the bell rang at nine o'clock, and families met to thank God at the domestic altar for causing the great sorrow to pass away, and giving a Protestant King and Queen to England.[1]

Proclamation of William and Mary. May 29.

Three days after the ship which brought to Boston the royal message came another, in which Sir William Phipps was a passenger.[2]

Arrival of Sir William Phipps.

1 "No reasonable confirmation [of the rumors of a landing of the Prince of Orange in England] till the arrival of two ships from London, the first the 25th, the other the 29th, of May, Sir William Phipps coming in the latter." (Letter of June 12, from Captain George to the Secretary of the Admiralty, in the State-Paper Office.) It attracts the reader's attention, that the record of the almost daily meetings of the Council at this time contains no mention of these arrivals, or of the proclamation of the new sovereigns.

2 Phipps, now thirty-nine years old, was a native of Pemaquid, being one of twenty-one sons, who, besides five daughters, were born of the same parents. So says Cotton Mather (Magnalia, II. 38), who liked such stories (comp. Magnalia, III. 165). In Phipps's childhood his father died, and he was apprenticed to a ship-carpenter. With a brave and adventurous spirit and an extraordinary natural capacity for the details of practical affairs, he felt through all his life the ill effects of want of early education. He obtained some property by marriage, with which he set up a ship-yard at Sheepscot, in Maine, and afterwards another at Boston. Thence he went to sea, as master of a vessel. Being at one of the Bahama Islands, and there hearing of the wreck of a Spanish galleon, which had gone down with a quantity of gold and been abandoned, he conceived the idea of recovering the treasure, and proceeded to England to offer his services to the King for that purpose. The project was approved, and in the year 1683 he proceeded with two frigates to the spot. It turned out that he had not

From him there was much for his friends in New England to learn. Phipps had formerly, in Boston, been one of Increase Mather's hearers. The old acquaintance had now recently been renewed in London, where Phipps had established a substantial consideration and influence in high quarters, and, happily for Massachusetts, the friends had united their efforts for her advantage.

It was unavoidable that the provisional arrangements which immediately followed the entrance of the Prince of Orange into London should be summary and hasty. It was natural that the general tenor of them should be, to authorize a continuance of the existing state of things till there should be time to make changes with deliberation. Among those arrangements one was an order for the government of New England to continue for the present in the hands of Sir Edmund Andros. This order became known to Mather, who, by prompt and energetic intervention, succeeded in arresting its transmission to New England.[1]

Not to lose the opportunity of the King's so favorable disposition before his thoughts should be demanded for

come properly provided; and for the present the attempt miscarried. Nothing discouraged, he returned to England to solicit the means for another trial. Christopher Monk, Duke of Albemarle, the well-endowed and money-loving son of the thrifty restorer of the monarchy, saw his account in furnishing the necessary outfit; and from a second expedition the lucky adventurer brought back three hundred thousand pounds, of which sum sixteen thousand pounds went to his own share in the division; and the King expressed his gratification by dubbing him a Knight.

Sir William, though rough enough at times, had powers of personal attraction. These, coupled with the reputation and the solid results of his recent enterprise, advanced his credit at court, and there Increase Mather, coming from New England, found him enjoying no little favor.

[1] January 12, a letter was prepared, conveying authority from the Prince for the continuance of the existing government in New England. It is in the State-Paper Office, with the following memorandum appended. "*Mem.* Upon the application of Sir William Phipps and Mr. Mather this letter was stopped, and ordered not to be sent." (Comp. "A Brief Account concerning several of the Agents of New England," &c., 4.) — It marks the importance of New England, that, before the Prince of Orange was on the throne, he turned his thoughts to that country.

other subjects, Phipps and Mather, immediately after his accession to the regal power, presented to him a joint petition, in which they prayed that not only Massachusetts, but also Plymouth, Rhode Island, and Connecticut, might "be restored to their ancient privileges," and that accordingly Bradstreet, Hinckley, Clarke, and Treat might be recognized as Governors of those Colonies respectively.[1] This was moving too fast. The young Somers, and the other Counsellors of the new monarch, were cautious men. The King could be brought to promise no more than that "Sir Edmund Andros should be removed from the government of New England, and be called unto an account for his maleadministration," and "that the present King and Queen should be proclaimed by their former Magistrates."[2]

February 18.

March 14.

1 Colonial Papers, &c. This petition bears the date of the fifth day after the proclamation of William and Mary as King and Queen of England.

2 February 22, 1689, Sir Robert Sawyer, late Attorney-General, told the Lords of the Committee, that the Massachusetts had had their charter vacated "for levying money illegally upon his Majesty's subjects; for coining of money; for imposing an oath of fidelity to themselves upon the inhabitants, not being free of the company; for making several crimes treason and felony, that were not so by law. Whereupon their Lordships, taking notice that his Majesty's revenue in the plantations is very much concerned herein, as also that the French who border upon these Colonies have lately invaded his Majesty's dominions in these parts, it is agreed to offer that his Majesty be pleased to send forthwith a Governor to New England in the place of Sir Edmund Andros, with a provisional commission, and with instructions to proclaim his Majesty in those Colonies, and to take the present administration of the government in those parts until further order; in which commission and instructions it may be expressed that no money shall be raised by the Governor and Council only. And their Lordships will likewise propose that his Majesty do thereupon give further order for preparing, as soon as may be, such a further establishment as may be lasting, and preserve the rights and privileges of the people of New England, and yet reserve such a dependence on the crown of England as shall be thought requisite." (Colonial Papers, &c.) Somehow, perhaps through some influence from Mather and his friends, whose policy it was to defeat this plan for the present by any other, it did not please the King. "On the 26th of this month their Lordships, having accordingly made report to his Majesty in Council, his Majesty was thereupon pleased to order that it be referred back to the Committee to consider of and prepare the draught of a new charter to be granted to the

A week after the proclamation thus authorized was made in the manner already related, a General Court assembled at Boston, including a House of Deputies constituted by a new election. The joyous excitement that had attended the recognition of the new sovereigns had not had time to subside, when the explanations brought by Phipps were found to present matter for serious thought. But the prospect was fair; at all events, the temper of the towns was resolute. Almost the first step taken by the Deputies was to call upon the Council to assume and exercise for the present all the functions conferred by the charter on Magistrates of the Company. Without this arrangement the Deputies declared that "they could not proceed to act in anything of public concerns"; and the Council accordingly agreed to it. The Council proposed that articles of impeachment should be drawn up against the late Governor and his friends now in prison, or else that they should be set at liberty, giving security for their appearance whenever called for; and Sir Edmund sent in a demand for the release of his friends and of himself. The Deputies complied so far as to send up charges to the Council against Andros, Dudley, Ran-

Meeting of the General Court. June 5.

Impeachment of Andros and his retainers. June 27.

inhabitants of New England, and may preserve the rights and properties of those Colonies, and reserve such a dependence on the crown according to the Report; and that, instead of a Governor to be sent in the room of Sir Edmund Andros, there be appointed two commissioners to take upon them the administration of the government there, with directions immediately to proclaim the King and Queen." (Ibid.) This crude scheme, however, was not followed up. January 9, Mather, introduced by Lord Wharton, had had that audience of the Prince of Orange which enabled him to prevail in having the order for confirming Andros's government countermanded. (Parentator, 118, 119.) March 14, being again brought by Lord Wharton into the royal presence, he obtained from William the promise recited above (p. 591), to remove and arraign Andros. (Parentator, 120, 121.)

In the seventh volume of the collection of Mather MSS. in the Library of the Massachusetts Historical Society is a most interesting series of communications from London to Deputy-Governor Bishop of Connecticut, relating to transactions in England in the last four months of 1688. There are reasons for ascribing them to John Campbell, afterwards editor of the "Boston News Letter."

dolph, Palmer, West, Graham, Farwell, and Sherlock, but at the same time resolved that the persons accused could not be admitted to bail.[1] A fortnight later, on account of an indisposition of Dudley, the Council, with the consent of some Deputies, allowed him to go to his house at Roxbury, after giving a bond not to leave it, except on Sundays, and then under a guard.[2] But the same night a party from Boston went out, and brought him forcibly back to gaol.[3] The General Court,

July 13.

1 Dudley sent a pathetic petition for release. (Mass. Arch., CVII. 119.)

2 MS. Mass. Rec., VI. 64.

3 Colonial Papers, &c. — In an anonymous paper, dated "Boston, July 30," it is related that, on the 13th of that month [the day of the adjournment of the Court], Dudley gave bonds, and went to his house. "About twelve o'clock at night, being Saturday night, about 200 or 300 of the rabble, Dearing and Searle heading of them, went and broke open his house, and brought him to town. The keeper [of the gaol] would not receive him, and they took him to Mr. Paige's. [Paige's wife was a niece of Dudley.] Monday night, the 15th, they broke into Mr. Paige's house (smashing his windows), searching for him [Dudley]. The 16th instant, Mr. Dudley walked to the prison, accompanied with several gentlemen, there being no stilling the people otherwise."

In the same collection is the order, dated July 13, to transfer Dudley from prison to his house, in "consideration of his great indisposition of body." The order is without signature. Randolph adds to it, in a note: "Neither Mr. Bradstreet nor Addington [Governor and Secretary] would sign this paper, for fear of being put to gaol for it. It was carried to Dudley, "in prison," by the Marshal, "about three, afternoon." Samuel Shrimpton, Nicholas Paige, and Eliakim Hutchinson were the sureties, in the sum of £10,000.

Bradstreet was in great trouble; among other reasons, because his accomplished wife was Dudley's sister. The party which went from Boston to bring Dudley took a letter from Bradstreet, preserved in the State Paper Office in a copy which it seems Dudley afterwards allowed Randolph to make. The copy was so hastily made, as to be in part scarcely legible. It reads as follows: —

"Sir, — The tumult in the town is so great and so sudden, no reason will be heard or regarded, that I am necessitated earnestly to entreat you, for the safety of yourself and family, and welfare of the whole country, to yield quickly to the present stress, which I hope you will never repent.

"Your cordial friend
and humble servant,
"S. Bradstreet.

"Have respect, I pray, to the glory of God, and the welfare of this people.

"Received the thirteenth of July, at 12 o'clock at night, by the hand of Ephrim Sabe [Searle?], cooper.

"J. Dudley.

"Taken from the original letter by Mr. E. Randolph."

July 16, Bradstreet wrote to Dudley: "In this juncture of affairs there is nothing better for yourself, friends, and relations, and the whole country,

as we may now call it, having done its work of organization,[1] and transacted other necessary business, adjourned on that day.[2]

The revolution in Massachusetts determined the proceedings in the other Colonies under Andros's sway. In New York they had an unfortunate management and a tragical course, the relation of which does not belong to this history. On learning what had been done in Boston, the people of Plymouth seized the person of their

than forthwith to do that which you intended and promised to do the last night, and take up your lodging in the prison till the fury of the people be more allayed. . . . . I can add no more, nor do no more, being full with grief and sorrow for your and our sad condition. . . . . Your affectionate kinsman and humble servant." (Colonial Papers, &c.)

In the same collection is a manuscript purporting to be an abstract of letters to England from Boston merchants "since July last" (1689), which illustrates the local opposition the patriots had to contend with. — "'T is a question," wrote the thrifty James Lloyd to Thomas Brinley, July 10, "whether one hundred thousand pounds will make good the damages, and settle the land in so hopeful a way as it was at the time the Governor lost his authority." — One of Lloyd's friends was in a very gloomy state of mind. "Should this place be governed as in old times, there can be no living for sober people. To be governed amongst ourselves by some chosen among us is nearest unto an anarchy." (Francis Brinley to Thomas Brinley, July 15.) — "I am afraid that this people will grow so unruly that nothing but an immediate Governor from the King will or can rule them. . . . . They are daily expecting Mr. Mather with a charter. If it pleases them, well; if not, they will despise it, for they are not afraid to say, in some towns of the country, that the crown of England hath nothing to do with them. . . . . We are not bettered by pulling down Sir Edmund's government, but much worsted." (Benjamin Davis to Edward Hall, July 31.) — Almost from the primitive times, the good sense and good temper of Massachusetts have had some people of this sort to deal with.

1 Maine was not overlooked. June 28, Thomas Danforth was reinstated in the government of that Province. (MS. Mass. Rec., VI. 50.)

2 "Since the death of William the Silent," says Mr. Motley in his great History (United Netherlands, I. 314), "there was no individual in the Netherlands to impersonate the struggle of the Provinces with Spain and Rome. . . . . To a certain extent the achievements of the little republic were anonymous. . . . . But those who were brought into closest contact with the commonwealth acknowledged in strongest language the signal ability with which, self-guided, she steered her course." One is fain to apply the remark to Massachusetts during the forty years that followed the death of the elder Winthrop, and the history of which is here closed; yet the remark must not be so applied as to slight men like John Leverett and Thomas Danforth.

Proceedings in Plymouth. April 22.

townsman, Nathaniel Clark, one of Andros's Counsellors and tools, and, recalling Governor Hinckley, set up again the ancient government.[1] When the revolution in Massachusetts became known at Newport, a summons was issued from that place to "the several towns" of Rhode Island, inviting them to send their "principal persons" to Newport "before the day of usual election by charter, ... there to consult of some suitable way in this present juncture."[2] Accordingly, at a meeting held on the day appointed by the charter for annual elections, it was determined "to reassume the government according to the charter," and "that the former Governor, Deputy-Governor, and Assistants that were in place . . . . . before the coming over of Sir Edmund Andros, the late Governor, should be established in their respective places for the year ensuing, or further order from England."[3] Walter Clarke was the Governor who had been superseded by Andros. But he had no mind for the hazardous honor which was now thrust upon him, and Rhode Island remained without a Governor.

Proceedings in Rhode Island. April 23.

May 1.

On the arrival in Connecticut of the news of the deposition of Andros, the plan of resuming the charter of that Colony, and re-establishing the government under it, was immediately canvassed in all the settlements.[4]

[1] Manuscript quoted in Hutch. Hist., I. 341; Byfield, Account of the Late Revolution, 6. A General Court was held, June 4. Hinckley was chosen Governor, and William Bradford Deputy-Governor, with six Assistants, five of whom were persons elected to that office in 1686. Clarke was bound over to be of good behavior towards the new sovereigns. The military officers of the year 1686 were reinstated, and a day of Thanksgiving was appointed. (Plym. Rec., VI. 205 – 211.)

[2] The summons was signed only with the initial letters W. C. and J. C. Without doubt W. C. was Walter Clarke; and what appears to have been the original summons received at Providence still exists there, and is in his handwriting. (R. I. Rec., III. 257.)

[3] Ibid., 258, 266.

[4] Gershom Bulkeley, in his "Will and Doom," presents some considerations, which, he thinks, "make it probable that the plot was of longer standing and of larger extent than we were aware of," and which cause it to be

Agreeably to some general understanding, a number of principal men, most of them delegated by their respective towns, assembled at Hartford to consult together on the expediency of taking that step. They determined to submit three questions, the next day, to the decision of the freemen, who had come together in large numbers. The questions were: — 1. "Whether they would that those in place and power when Sir Edmund Andros took the government should resume their place and power as they were then; or, 2. Whether they would continue the present government; or, 3. Whether they would choose a Committee of Safety."

Proceedings in Connecticut. May 8.

The adoption of any one of these proposals disposed of the others. The first of them was first submitted to a vote, and prevailed.[1] A General Court after the ancient pattern was constituted accordingly. The persons just deputed from the towns made the Lower House. Governor Treat and Deputy-Governor Bishop resumed their functions, with ten Magistrates elected with them two years before, and two others now chosen by the freemen to fill the places of Magistrates who had died meanwhile.

May 9.

The first measure of the Court was to order "that all the laws of this Colony formerly made according to charter, and courts constituted in this Colony for administration of justice, as they were before the late interruption, should be of full force and virtue for the future, and till the Court should see cause to make

matter of less surprise "that the gentlemen of Connecticut should so easily, in the year 1689, receive encouragement, by letter from England, to take their charter government again, telling them they were a company of hens, if they did not do it." (Conn. Rec., III. 456.) "I wish," writes elsewhere the same saturnine observer of the signs of the times, "there be not some Jesuit that has foisted in this project amongst them in the Bay and us here, as the most probable way to ruin us." (People's Right to Election, &c., in Conn. Hist. Coll., I. 72.)

[1] Conn. Rec., III. 456–460.

further and other alteration and provision according to charter." The second vote was to confirm "all the present military officers." Justices of the Peace were appointed for the towns where no Magistrates resided. The armament of the fort at Saybrook was provided for. The Governor was charged to convene the General Court "in case any occasion should come on, in reference to the charter or government." A day of Fasting was proclaimed. And then the Court adjourned.

It was soon convened again, in consequence of the intelligence of the accession of William and Mary to the throne. The King and Queen were proclaimed with all solemnity. A day was appointed for Thanksgiving. And an Address of congratulation was prepared, in which the Court also briefly rehearsed the recent proceedings in the Colony, and prayed for "ratifications and confirmations of the charter."[1]

June 13.

Again Englishmen were free and self-governed in the settlements of New England.

[1] Conn. Rec., III. 250–255; comp. 463–466.

APPENDIX.

COMMISSIONERS OF THE CONFEDERACY.

Plymouth.	Massachusetts.	Connecticut.
	1668.	
Josiah Winslow.	Thomas Danforth.	John Winthrop.
Thomas Southworth.	John Leverett.	William Leete.
Thomas Prince (Substitute).		Samuel Wyllys (Substitute)
	1669.	
Josiah Winslow.	Thomas Danforth.	John Winthrop.
Thomas Southworth.	John Leverett.	John Talcott.
Thomas Prince (Substitute).	Sim. Bradstreet, Wm. Hathorne (Subst.).	James Richards (Substitute).
	1670.	
Thomas Prince.	Simon Bradstreet.	Samuel Wyllys.
Josiah Winslow.	Thomas Danforth.	John Talcott.
	Wm. Hathorne, John Leverett (Subst.).	James Richards (Substitute).
	1671.	
Thomas Prince.	Simon Bradstreet.	Samuel Wyllys.
Josiah Winslow.	Thomas Danforth.	John Talcott.
Thom. Hinckley (Substitute).	William Hathorne.	James Richards (Substitute).
	Daniel Denison (Subst).	
	1672.	
Thomas Prince, P.	Thomas Danforth.	William Leete.[1]
Josiah Winslow.	Simon Bradstreet.	James Richards.
Thom. Hinckley (Substitute).	Wm. Hathorne, John Leverett (Subst.).	John Talcott (Substitute).
	1673.	
Thomas Hinckley.	Thomas Danforth.	William Leete, P.
Josiah Winslow.	William Hathorne.	John Talcott.
Wm. Bradford (Substitute).	Wm. Stoughton, Daniel Denison (Subst.).	John Allyn (Substitute).

[1] Conn. Rec., II. 170. But Winthrop, instead of Leete, attended the meeting of the Commissioners this year. (Hazard II. 528; comp. Conn. Rec., II. 182.)

PLYMOUTH.	MASSACHUSETTS.	CONNECTICUT.
	1674.	
Josiah Winslow.	Thomas Danforth.	John Allyn.
Thomas Hinckley.	William Stoughton.	James Richards.
Wm. Bradford (Substitute).	Sim. Bradstreet, Daniel Denison (Subst.).	John Talcott (Substitute).
	1675.	
Josiah Winslow.	Thomas Danforth.	John Allyn.[1]
Thomas Hinckley.	William Stoughton.	James Richards.
Wm. Bradford (Substitute).	Sim. Bradstreet, Daniel Denison (Subst.).	John Talcott (Substitute).
	1676.	
Josiah Winslow.	Thomas Danforth.	John Talcott.
Thomas Hinckley.	William Stoughton.	James Richards.
Wm. Bradford (Substitute).		John Allyn (Substitute).
	1677.	
Josiah Winslow.	Thomas Danforth.	John Allyn.
Thomas Hinckley.	Joseph Dudley.	James Richards.
Wm. Bradford (Substitute).	Sim. Bradstreet, Wm. Stoughton (Subst.).	John Talcott (Substitute).
	1678.	
Josiah Winslow.	Thomas Danforth.	William Leete, P.
Thomas Hinckley.	Joseph Dudley.	John Allyn.
Jas. Cudworth (Substitute).		
	1679.	
Josiah Winslow.	Thomas Danforth.	John Allyn.
Thomas Hinckley.	Joseph Dudley.	James Richards.
Jas. Cudworth (Substitute).	Daniel Denison, Humphrey Davy (Subst.).	
	1680.	
Josiah Winslow.	William Stoughton.	John Allyn.
Thomas Hinckley.	Joseph Dudley.	James Richards.
Wm. Bradford (Substitute).		
	1681.	
Thomas Hinckley.	William Stoughton.	Robert Treat.
James Cudworth.	Joseph Dudley.	John Allyn.
Wm. Bradford (Substitute).		
	1682.	
Thomas Hinckley.	William Stoughton.	Robert Treat.
William Bradford.	Peter Bulkeley.	John Allyn.
Daniel Smith (Substitute).	Samuel Nowell, Thom. Danforth (Subst.).	

[1] By a vote of the Council, August 18, 1675, Winthrop was substituted for Allyn (Conn. Rec., II. 351); and, by a vote of the General Court, of October 14, Wait Winthrop was substituted for Richards (Ibid., 271).

PLYMOUTH.	MASSACHUSETTS.	CONNECTICUT.
	1683.	
Thomas Hinckley.	William Stoughton.	John Talcott.
William Bradford.	Peter Bulkeley.	John Allyn.
Daniel Smith (Substitute).	Samuel Nowell (Substitute).	
	1684.	
Thomas Hinckley.	Samuel Nowell.	John Talcott.
William Bradford.	William Stoughton.	John Allyn.
Daniel Smith, John Walley (Subst.).	Peter Bulkeley, Joseph Dudley (Subst.).	Robert Treat (Subst.), P.
	1685.	
	William Stoughton.	
	Samuel Nowell.	
	1686.	
Thomas Hinckley.	William Stoughton.	John Talcott.
William Bradford.	Samuel Nowell.	John Allyn.
John Walley (Substitute).		

MAGISTRATES OF THE SEVERAL COLONIES.

PLYMOUTH.

	GOVERNORS.		DEPUTY-GOVERNORS.
1668 – 1672.	Thomas Prince.	1680.	Thomas Hinckley.
1673 – 1680.	Josiah Winslow.	1681.	James Cudworth.
1681 – 1686.	Thomas Hinckley.	1682 – 1686.	William Bradford.

ASSISTANTS.

John Alden, 1668 – 1686.
Josiah Winslow, 1668 – 1672.
Thomas Southworth, 1668, 1669.
William Bradford, 1668 – 1681.
Thomas Hinckley, 1668 – 1679.
John Freeman, 1668 – 1686.
Nathaniel Bacon, 1668 – 1673.
Constant Southworth, 1670 – 1678.
James Brown, 1673 – 1683.
James Cudworth, 1674 – 1680.
Daniel Smith, 1679 – 1686.
Barnabas Lothrop, 1681 – 1686.
John Thacher, 1682 – 1686.
John Walley, 1684 – 1686.

MASSACHUSETTS.

	GOVERNORS.		DEPUTY-GOVERNORS.
1668 – 1672.	Richard Bellingham.	1668 – 1670.	Francis Willoughby.
1673 – 1678.	John Leverett.	1671, 1672.	John Leverett.
1679 – 1686.	Simon Bradstreet.	1673 – 1678.	Samuel Symonds.
		1679 – 1686.	Thomas Danforth.

ASSISTANTS.

Simon Bradstreet, 1668 – 1678.
Samuel Symonds, 1668 – 1672.
Daniel Gookin, 1668 – 1675, 1677 – 1686.
Daniel Denison, 1668 – 1682.
Simon Willard, 1668 – 1675.
Richard Russell, 1668 – 1676.
Thomas Danforth, 1668 – 1678.
William Hathorne, 1668 – 1679.
Eleazar Lusher, 1668 – 1672.
John Leverett, 1668 – 1670.
John Pynchon, 1668 – 1686.
Edward Tyng, 1668 – 1680.
William Stoughton, 1671 – 1686.
Thomas Clarke, 1673 – 1677.
Joseph Dudley, 1676 – 1683, 1685.
Peter Bulkeley, 1677 – 1684.
Nathaniel Saltonstall, 1679 – 1686.
Humphrey Davy, 1679 – 1686.
James Russell, 1680 – 1686.
Samuel Nowell, 1680 – 1686.
Peter Tilton, 1680 – 1686.
John Richards, 1680 – 1686.
John Hull, 1680 – 1683.
Bartholomew Gidney, 1680 – 1683.
Thomas Savage, 1680, 1681.
William Brown, 1680 – 1683.
Richard Saltonstall, 1681, 1682.
Samuel Appleton, 1682 – 1686.
Robert Pike, 1682 – 1686.
Daniel Fisher, 1683.
John Woodbridge, 1683.
Elisha Cooke, 1684 – 1686.
William Johnson, 1684 – 1686.
John Hathorne, 1684 – 1686.
Elisha Hutchinson, 1684 – 1686.
Samuel Sewall, 1684 – 1686.
Isaac Addington, 1686.
John Smith, 1686.

CONNECTICUT.

GOVERNORS.	DEPUTY-GOVERNORS.
1668 – 1675. John Winthrop.	1668. John Mason.
1676 – 1682. William Leete.	1669 – 1675. William Leete.
1683 – 1687. Robert Treat.	1676 – 1682. Robert Treat.
	1683 – 1687. James Bishop.

ASSISTANTS.

Samuel Wyllys, 1668 – 1684.
Nathan Gold, 1668 – 1687.
John Talcott, 1668 – 1687.
Henry Wolcott, 1668 – 1680.
John Allyn, 1668 – 1687.
William Leete, 1668.
William Jones, 1668 – 1687.
Benjamin Fenn, 1668 – 1672.
Alexander Bryant, 1668 – 1678.
James Bishop, 1668 – 1682.
Anthony Howkins, 1668 – 1673.
Thomas Wells, 1668.
John Mason, 1669 – 1671.
James Richards, 1669 – 1680.
John Nash, 1672 – 1687.
Robert Treat, 1673 – 1675.
Thomas Topping, 1674 – 1684.
John Mason, 1676.
Matthew Gilbert, 1677.
Andrew Leete, 1678 – 1687.
John Wadsworth, 1679 – 1687.
Robert Chapman, 1681 – 1684.
James Fitch, 1681 – 1687.
Samuel Mason, 1683 – 1687.
Benjamin Newberry, 1685 – 1687.
Samuel Talcott, 1685 – 1687.
Giles Hamlin, 1685 – 1687.

RHODE ISLAND AND PROVIDENCE PLANTATIONS.

GOVERNORS.	DEPUTY-GOVERNORS.
1668. William Brenton.	1668. Nicholas Easton.
1669 – 1671. Benedict Arnold.	1669. John Clarke.
1672, 1673. Nicholas Easton.	1670. Nicholas Easton.
1674, 1675. William Coddington.	1671. John Clarke.
1676. Walter Clarke.	1672. John Cranston.
1677, 1678. Benedict Arnold.	1673. William Coddington.
1679. John Cranston.	1674, 1675. John Easton.

GOVERNORS.

1680 – 1682. Peleg Sanford.
1683 – 1685. William Coddington.
1686. Walter Clarke.

DEPUTY-GOVERNORS.

1676 – 1678. John Cranston.
1679 – 1685. Walter Clarke.
1686. John Coggeshall.

ASSISTANTS.

Peleg Sanford, 1668, 1669, 1677, 1678.
John Cranston, 1668 – 1671.
John Easton, 1668 – 1670, 1672, 1673, 1676, 1681 – 1686.
William Carpenter, 1668 – 1671.
William Harris, 1668, 1669, 1673, 1674, 1676.
Thomas Harris, 1668, 1671 – 1675.
William Baulston, 1668 – 1672.
Samuel Wilbur, 1668, 1677.
John Greene, 1668 – 1672, 1677, 1680 – 1684, 1686.
Benjamin Smith, 1668, 1669, 1671, 1672, 1675.
Thomas Olney, 1669, 1670, 1677, 1678.
Joshua Coggeshall, 1669, 1672 – 1676.
John Coggeshall, 1670, 1671, 1674, 1676, 1683 – 1686.
Roger Williams, 1670.
John Tripp, 1670, 1673 – 1675.
James Greene, 1670.
James Barker, 1671, 1676.
John Albro, 1671, 1677 – 1681, 1683 – 1685.
Richard Smith, 1672.
Francis Brinley, 1672.
Arthur Fenner, 1672, 1674 – 1676, 1679 – 1686.
Henry Browne, 1672.
Walter Clarke, 1673 – 1675.
Daniel Gould, 1673, 1674.
Thomas Field, 1673.
Walter Todd, 1673.
Job Almy, 1673.
Samuel Stafford, 1674, 1686.
Henry Bull, 1675.
Edward Thurston, 1675, 1686.
Thomas Borden, 1675.
Benjamin Barton, 1675, 1683, 1685.
William Cadman, 1676, 1682.
Randall Holden, 1676.
Samuel Gorton, 1676 – 1682, 1685.
Joseph Clarke, 1677 – 1679.
John Whipple, 1677 – 1679.
Stephen Arnold, 1677 – 1680.
Thomas Greene, 1678, 1679, 1684.
Caleb Car, 1679 – 1685.
Thomas Ward, 1679, 1680.
John Sanford, 1679.
William Coddington, 1680 – 1682.
Joseph Jenks, 1680 – 1686.
George Lawton, 1680 – 1686.
Richard Arnold, 1681 – 1686.
Walter Newberry, 1686.

NEW HAMPSHIRE.

PRESIDENTS.

1679, 1680. John Cutts.
1681. Richard Waldron.

VICE-PRESIDENTS.

1680. Richard Waldron.
1681. Elias Stileman.

GOVERNORS.

1682 – 1685. Edward Cranfield.
1686. Walter Barefoote.

DEPUTY-GOVERNOR.

1683 – 1686. Walter Barefoote.

COUNSELLORS.

Richard Martyn, 1679 – 1682.
William Vaughan, 1679 – 1686.
Thomas Daniel, 1679 – 1683.
John Gilman, 1679 – 1682.
Christopher Hussey, 1679 – 1686.
Richard Waldron, 1679, 1680, 1682.
Elias Stileman, 1680 – 1682.
Samuel Dalton, 1680.
Job Clements, 1680 – 1683.
Robert Mason, 1680 – 1686.
Richard Waldron, jr., 1681 – 1686.
Anthony Nutter, 1681 – 1686.
Walter Barefoote, 1682.
Richard Chamberlain, 1682 – 1686.
Nathaniel Fryer, 1683 – 1686.
Robert Elliot, 1683 – 1686.
John Hinckes, 1683 – 1686.
James Sherlock, 1683 – 1686.
Francis Champernoon, 1683 – 1686.
Edward Randolph, 1683 – 1686.

ROYAL PROVINCE OF NEW ENGLAND.

GOVERNOR.

1686 (December) – 1689. Edmund Andros.

COUNSELLORS.

The following Counsellors were named in the Commission which took effect in May, 1686, as appears from the Proclamation issued on the 25th of that month, viz.: —

Joseph Dudley, 1686 (May) – 1689. (President in 1686.)
William Stoughton, 1686 – 1689. (Deputy-President in 1686.)
Robert Mason, 1686 – 1688.
Fitz-John Winthrop, 1686 – 1689.
John Pynchon, 1686 – 1689.
Peter Bulkeley, 1686 – 1688.
Edward Randolph, 1686 – 1689.
Wait Winthrop, 1686 – 1689.
Richard Wharton, 1686 – 1689.
John Usher, 1686 – 1689.
Nathaniel Saltonstall.
Simon Bradstreet.
Dudley Bradstreet.
Bartholomew Gidney, 1686 – 1689.
Jonathan Tyng, 1686 – 1689.
John Hinckes, 1686 – 1689.
Edward Tyng, 1686 – 1689.
Francis Champernoon.

In Andros's first Commission all the above-named Counsellors were included, except the two Bradstreets, Saltonstall, and Champernoon, who had not accepted the trust; and the following were added. Their names, with the preceding, are in a list at the beginning of the original minutes of Andros's Council. (See above, p. 518, note 2.)

Thomas Hinckley, 1686 – 1689.
Barnabas Lothrop, 1686 – 1689.
William Bradford, 1686 – 1689.
Daniel Smith, 1686 – 1689.
John Walley, 1686 – 1689.
Nathaniel Clarke, 1686 – 1689.
John Coggeshall, 1686 – 1689.
Walter Clarke, 1686 – 1689.
Walter Newberry, 1686 – 1689.
John Sandford, 1686 – 1689.
John Greene, 1686 – 1689.
Richard Arnold, 1686 – 1689.
John Albro, 1686 – 1689.

In the Journal of Andros's Council, the above names of Counsellors occur, and also the following, subsequently appointed, viz.: —

Francis Nicholson, 1687 (August) – 1689.
Robert Treat, 1687 (November) – 1689.
John Allyn, 1687 (November) – 1689.
Samuel Shrimpton, 1688 (March) – 1689.

In Andros's second Commission (April 16, 1688), all the above names were included, and the following in addition, viz.: —

William Browne, 1688, 1689.
Richard Smith, 1688, 1689.
Simon Lynde, 1688, 1689.
Anthony Brockholst, 1688, 1689.
Frederick Phillips, 1688, 1689.
Anthony Baxter, 1688, 1689.
Henry Courtland, 1688, 1689.
John Young, 1688, 1689.
Nicholas Bayard, 1688, 1689.
John Palmer, 1688, 1689.
John Spragg [Sprague?], 1688, 1689.

A list of Counsellors in the Massachusetts Archives (CXXVI. 77) contains the names of all the Counsellors who served during the first year, and no others. Hutchinson (Hist., I. 317) had not seen any list that he could rely upon. A list, however, which he found on the fly-leaf of a volume of the Colonial Laws, turns out to be nearly correct. It contained all the names of Counsellors mentioned above, except that of Simon Lynde. Hutchinson, however, writes John *Cothill* for John *Coggeshall*, whose name, in the list in the Archives, is spelt *Coxell*.

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